REVIEW-CHRONICLE

OF THE HUMAN RIGHTS VIOLATIONS IN BELARUS IN 2002

PREFACE: GENERALIZATIONS AND CONCLUSIONS

2002 brought about no changes for the better in the overall situation with human rights in Belarus. In spite of certain traits witnessing the regime liberalization the official politics was still accompanied with violations of international standards in the branches of human rights and the national legislation. The situation with freedom of conscience and liberty of speech has become considerably worse. Still violated are the civil rights to peaceful assemblies, participation in unions and associations, exists criminal persecution for political reasons, the problem of the missing Belarusian politicians and public activists remains unsolved. Absence of just, objective, independent and objective court impedes defense of the violated rights…

For the Belarusian State human rights still aren't the irreversible principle that should dominate in all manifestations of the State policy. The highest level authorities are constantly speaking of human rights violations as an informational campaign of certain politicians aimed at pressurization of the government. The attention of international organizations to human rights violations in Belarus is almost always treated as an attempt of interference with internal affairs of Belarus. The interest of AMG OSCE to human rights issues resulted in extrusion of OSCE Belarusian mission. The authorities refused to prolong visas to members of AMG OSCE, violating the earlier diplomatic agreements.

The Belarusian authorities try to conceal the internal human rights issues from international observers. Conflict with OSCE is not the only example. The international experts who wanted to take part in the conference International Standards of Democratic Election and Belarusian legislation, organized by Human Rights Center Viasna in December 2002 were denied access to Belarus. The members of the Russian Parliament Boris Nemtsov and Irina Khakamada were deported from the country with violation of their status.

On the other hand, the authorities limit the right to go abroad for those who can speak truth about the situation in Belarus. After four years of jail the political prisoner Andrei Klimaw couldn't take part in international human rights conferences as it was prohibited to him to go out of the country.

Persecution for Other-mindedness

Probably, in the recent years there hasn't been any assault on independent mass media that could be compared to the latest one: "the cleansing of the informational space". The struggle against the liberty of speech started in 2001 during the Presidential

electoral campaign as a part of the informational policy of the incumbent President. Despite certain hopes that this struggle was exclusively election-motivated in 2002, after the election, relations of the press and the authorities didn't become any better and even worsened significantly. The regime declared war against the only mechanism that in some way limited the authoritarian self-will towards the independent press.

The governing administration deliberately destroyed all independent, non-controlled information sources. The State propaganda strategy is rooted mainly in the monopoly of the State media and eradication of alternative sources. Journalists faced unspeakable pressure. Persecution for other-mindedness became systematic and was accompanied by liquidation of newspapers, arrests of correspondents, criminal persecution of journalists and editors, censorship, unreasoned and overrated amounts of suits of State officials against independent editions. In this case we evidently deal with the thoroughly elaborated State policy that gets its power in absence of objective and fair trial in the country. One of the displays of this policy was the legislative prohibition to publish in the mass media opinion polls results without a special license.

Never was in Belarus closed so many independent newspapers during one year. The end of 2001 brought about the closure of the Horadnia newspaper Pahonia – one of the most influential regional editions. In 2002 this practice got a further boost: political pressure suspended such newspapers as Rabochiy (editor-in-chief was sentenced to two years of limited freedom for defamation of the President), Nasha Svaboda (court satisfied the suit of A. Tozik, Chairman of State Control Committee, to the newspaper), Mestnoye Vremya, Volny Horad (Krychaw). On the other hand, the authorities refuse to register non-State editions. They refused to register such newspapers as Maladziovy Vesnik (Kobryn), Liusterka (Pinsk), Novy Vek (Horadnia), Kalozha (Horadnia).

Liquidation of the newspaper Nasha Svaboda was a result of its independent and objective position. The editorial staff of the newspaper consciously published the materials that revealed corruption in the inner circles of President Lukashenka's administration. The public explication of certain dark sides in the life of Belarusian officials, their ties with business, including semi-criminal ones, couldn't remain unpunished. Disclosure of corruption in the highest echelons of power is the exclusive prerogative of President. It is defined by the system, established in the sphere of the State policy: a functionary has the "moral right to corruption" as long as the regime needs him/her. Existence of compromising materials is a guarantee of personal devotion to the regime. If a functionary "exceeds the limits" or there's doubt in his/her loyalty, the materials are given out to the Law machinery with the order to make a "public execution". It is confirmed by the scheme, used in the notorious cases of enterprise

directors in 2001 and 2002. Such system can't bear journalist investigation and big stink in press about corruption in the State bodies.

It is quite interesting that the A. Tozik, Head of State Control Committee, filed his suit against Nasha Svaboda to court after Lukashenka personally stated the necessity to "make short work of certain oppositional mass media". The suit that had no factual provision took surprisingly little time – five days, the court consideration lasted for only nine hours. The newspaper Nasha Svaboda shared the fate of two previous editions, founded by Pavel Zhuk, liquidated under the State pressure.

As a result of the conflict among the founders of the newspaper Svobodnye Novosti fomented by the authorities the newspaper ceased to exist. The newspaper founders say that the Ministry of Information did everything possible to close it. One of the co-founders decided that change of public position can spare him from the problems that usually face independent mass media. The other co-founders didn't support this change of editorial policy, but the Ministry of information's actions advanced the date of the newspaper's demise. The State-owned Belarusian Printing House refused to publish the newspaper-descendant -- Svobodnye Novosti Plus, the State post network refused to deliver it to subscribers.

After the change in the top management in the Belarusian Federation of Trade Unions the editor-in-chief of the trade union newspaper Belaruski Chas Aliaksandr Starykevich had to leave the editor's chair. The decision to fire him was taken by the new FTU Chairman Leanid Kozik with rude violations of the working legislation and was connected with Starykevich's support to ex-Chairman of FTU U. Hancharyk when the latter balloted to the presidential position. Workers of the editorial staff confirm that the new authorities of the newspaper try to get rid of old workers for political reasons.

The country saw the introduction of discriminative conditions for distribution of independent newspapers in comparison to the State ones. The exaggerated rates for distribution of independent editions lead to disappearance of Denn and Belaruskaya Maladziozhnaya. People, who distribute independent press in the regions, are often arrested.

Court persecution touched authors of publications in Belorusskaya Delovaya Gazeta and Narodnaya Volia and. The editors of the newspaper were punished by the court, the editorial equipment was confiscated. Founder of Shklowskiya Naviny was punished as well, the editorial equipment was confiscated. Orsha newspaper Kutseyna was fined, the editorial equipment was also confiscated.

Warnings of the Ministry of Information for alleged law violations by mass media remain one of the pressure methods employed. In 2002 such warning was issued to the biggest independent newspaper Narodnaya Volia and Nasha Niva. Two warnings within one year may result in the liquidation of an edition. That's why even single warning makes an editorial staff to adjust its policy for fear of another warning.

At the same time, the law violations and insulting articles by State newspapers are ignored by the law machinery. In 2002 the State mass media often gave publicity to false and insulting information about Protestants. Despite evident absurdness of these materials, the Ministry of Information didn't react. The largest State edition Sovetskaya Belorussiya accused the youth activist Aliaksey Shydlowski of alimony evasion, the crime that he had not commited. In this case the court took the evidently unfair decision not to satisfy Shydlowski's suit. The motivation of the court decision was the following: "… Shydlowski was twice criminally punished… The inaccuracy, demonstrated by the author, that Shydlowski evaded from paying alimony and was put in prison for this, can by no means insult honor and dignity of the plaintiff". There's a great difference in the court approach to suits of State officials against independent newspapers and suits of ordinary citizens against State newspapers.

The establishment of the so-called "holding" that united several fiction magazines was followed by many of the editorial staff having to resign. It was a sign of protest against illegal State interference with editorial politics.

Firing of the Unistar radio journalist Yana KaMinskaya is an example of State interference with the editorial policy of non-State commercial mass media. The guilt of the journalist was that she announced on the radio that a Unistar correspondent wasn't admitted to Belarusian Patriotic Youth Union, pro-Lukashenka's youth organization.

One of the most violent means of pressure applied against journalists along with their criminal persecution is beating. In 2002 several cases were registered: Henadz Kesner (Radio Racyja), Yury Humianiuk (Pahonia) and Stas Pachobut (Navinki) were beaten. The authorities inadequately treated the journalist actions of solidarity with their colleagues who were drawn to criminal responsibility for defamation of President of Belarus.

There have been repeated detentions of journalists for fulfilling of their professional duty. Journalists of NTV shooting crew were warned for "biased coverage of the April 19 events". The journalists who covered celebration of the Freedom Day on 24 March in Minsk and the destruction of the only building of the independent Orthodox Church in Pahranichny settlement of Horadnia region at the end of August were detained.

So, as President of Belarusian Association of Journalists (BAJ) Zhana Litsvina says, in the country there are many legal ways for liquidation of "disloyal" press. The authorities treat every kind of criticism quite badly and turn it into a reason for hard pressure on journalists. One of the most violent pressure techniques used in 2002 was criminal punishment.

Criminal Persecution of Those Criticizing Authorities

Article No. 367 "Defamation of President", 368 "Insult of President" and 369 "insult of official" of the Criminal code have become means of political persecution of journalists and other citizens. These articles are of evidently political repression nature aimed at subduing the liberty of speech. These articles were introduced in 2001 in the new Criminal code. By the way, these articles present honor of President and other officials as something that is more valuable to community than honor of an ordinary citizen. For insult of President one can receive up to 5 years in jail. It is quite interesting that the cases initiated by the terms of articles No. 367 and No. 368, are cases of public accusation and can be initiated even without the plaintiff's suit. The President has never brought any libel action, but law enforcement officers have been constantly initiating new cases.

It was pointed out several times that Articles No. 367 and 368 were elaborated for the Presidential election of 2001. In fact, the majority of such cases were initiated within the framework of the agitation campaign of 2001, but the articles continued to be used after the campaign was finished. Now every criticism against President and top State officials in mass media and other public speeches is dangerous for the authors. They can face not only a huge sum of the civil suit (that will be surely granted in the course of "objective" trial), but also imprisonment. Even the editor who had allowed the publication would not get away with it.

19 people faced criminal charges by the terms of these articles in 2001 and 2002. Among them were journalists, politicians and oppositional youth. However, in 2001 none of the cases were tried in court. In 2002 the editor-in-chief of the independent newspaper Pahonia Mikola Markevich and the newspaper's journalist Pavel Mazheyka, editor-in-chief of Rabochiy Viktar Ivashkevich, Shklow activists of the ZUBR movement Mikhail Kisialiow, Maksim Patupchyk, Ales Pawlovich, Dzianis Senakosaw and Zmitser Shalashkaw were tried. Which is quite significant, none of them were justified. Such cases were also brought against the UCP leader Anatol Liabedzka, the Rechytsa activist of youth movement Natallia Brel, the journalist Alena Pankratava, the mother of 1,5-year-old child Aksana Novikava. Their fates are different: some of the cases were turned into

administrative ones, some of the defendants had to emigrate, three of them were punished with limited freedom, five Shklow citizens were fined. We can't but specify that in many cases initiation of cases on these articles was a means of blackmail and cessation of journalist or public activity that was inconvenient for the authorities. Getting summoned to the prosecutor's office or KGB you never know if you will remain a witness or end up in prison.

The criminal case against the editor-in-chief of Pahonia newspaper Mikola Markevich and the journalist of this edition Pavel Mazheyka became a symbolic event of 2002, the case that defined the State attitude towards the independent press. The journalists, charged with defamation and insult of President, were internationally recognized as prisoners of conscience. The trial over the Horadnia journalists was postponed for several times in spring – the court didn't dare to start its sittings when hundreds of people (human rights activists from all over Belarus, Belarusian and foreign journalists, representatives of diplomatic corps) had gathered in front of the building. The court tried to decrease the public significance of the case with these repeated postponements. It faced a dilemma: either to make an unjust verdict built on doubtful evidence or not to execute the State order and justify the innocent journalists. Mikola Markevich described the trial as a theater of absurdity, where everything was done to hide the truth.

The evidence that served as the basis for the persecution had been collected with violations of the criminal code of practice. For instance, one of the main pieces of evidence – the reprint of the Internet page containing materials allegedly insulting the Belarusian President, was made without any registration report, without any report of inspection and participation of witnesses. In spite of these circumstances, the court used this evidence to pass its accusative verdict and punished the journalists with limited freedom, which means corrective labor under the control of State bodies. The place of work wasn't specified in the verdict. Usually people who receive such punishment work in the town or city where they live. The authorities decided to harden the conditions for Mikola Markevich and Pavel Mazheyka, separating them and directing to different locations. Deportation of Mikola Markevich was made with violation of the rules for this kind of punishment: according to the law the persons who have under aged children are to work in the town or city they live.

Despite the mentioned violations of the criminal code of practice committed by the court, the attempts to complain against its sentence to the supreme court were unsuccessful. For instance, the higher court didn't consider as a reason for setting the verdict aside the fact that testimonies of the accused were distortedly recorded by the

secretary and not in the language the journalists spoke. Nevertheless, under the public pressure Horadnia regional court had to make use of the amnesty law and make the limited freedom terms one year shorter. According to the final decision Mikola Markevich received 1,5 years and Pavel Mazheyka – to 1 year of limited freedom.

At the trial it was pointed out that the authorities secretly prohibited for the accused journalists to pursue their profession: Horadnia city executive committee refused to register a new edition of Mikola Markevich for 8 (!) times.

The next journalist to be tried upon Articles No. 367 and 368 of the Criminal code was editor-in-chief of the Rabochiy newspaper Viktar Ivashkevich. This case, initiated in Minsk after the end of Pahonia case caused great public attention. The authorities learned from the experience of Horadnia case and decided to make the trial closed. At the trial of Viktar Ivashkevich there was ignored the presumption of innocence. At first Mr. Ivashkevich was summoned to an investigator as a witness and couldn't refuse to give evidence, then became a defendant, and the court judged him, making use of his testimony as a witness.

The specific trait of the trial is that Viktar Ivashkevich was accused of attempted defamation. It means that the "defaming" information published in Rabochiy newspaper didn't get to readers, as the whole print-run was seized. So, Ivashkevich was accused on the base of his thoughts about President, which the court found to be defaming and insulting for the latter. In this case a new crime, attempt at defamation, was invented. Before this, defamation and insult were considered to be material crimes, when people are punished for real harm to honor or dignity of a certain person. In this trial Belarusian justice demonstrated its second skin, revealing similarity to casuistry of the Third Reich jurisprudence, which considered absence of adoration for Hitler as a crime.

The significance of the of Ivashkevich's case (a test case) is in the fact that the "defaming information" about corruption in Lukashenka's administration and illegal arms trade was reprinted from the place of public usage, Internet. So, the attempt to reprint compromising materials about the authorities from Internet is declared to be a crime.

Ivashkevich was sentenced to two years of limited freedom. This punishment was accompanied with deportation to a province, as in the case of Horadnia journalists.

The notorious usage of Articles No. 367 and No. 368 of the Criminal Code caused public indignation. Belarusian Association of Journalists proposed to exclude these articles from the Criminal code. Thousands of people supported this initiative, but the Parliament didn't dare to deprive the State of the powerful means of criminal

persecution for other-mindedness. However, even this “puppet” Parliament had some deputies that spoke against the “political” articles.

Violation of the Right to Religious Freedom

The greatest worsening of situation can be observed in the branch of religious freedom. 2002 brought about the discriminatory Law of the Republic of Belarus “On religious freedom and religious organizations”. While drafting the law, the authors heeded hardly any of the amendments brought in by religious denominations with the exception of those adjusting the style. The majority of registered religious associations of Belarus were dissatisfied with this law.

Representatives of human rights organizations expressed their concern with the draft law as well. The examination of the draft law by the leading specialists in religious studies found that the law contradicted the International Covenant on Civil and Political Rights, CIS Human Rights Convention and other international laws ratified by the Republic of Belarus. It modifies the secular nature of the State as codified in the Constitution and limits the right of citizens to have individual attitude towards religion, adopting the principle of State interference with religious affairs.

Many people consider Belarusian Exarchate of the Russian Orthodox Church as the inspirer and initiator of this law. The church authorities have repeatedly expressed their support for the governmental policy and in fact carried out pro-regime agitation during a number of electoral campaigns. According to the law preamble, this very church is turned into the State-supported denomination in the historically multi-denominational Belarus. Catholicism, Islam, Judaism and certain branches of Protestantism are declared acceptable, all other forms of religious faith being treated as undesirable. The Committee for the affairs of religions and nationalities label them as “destructive neo-cults” and “totalitarian sects”. So, the law divides denominations into “good” ones and “bad” ones.

The most outrageous norm of the law is preliminary examination of religious literature. A special expert committee will analyze every religious book and decide whether to allow its distribution in Belarus. Prohibited distribution can’t be appealed against in court. This body is not liable to public control, functioning as a body of State censorship. The competence of the expert body spreads also on internal church literature, which puts obstacles not only to gospel or missionary activity, but also to inter-denominational distribution of religious literature.

Joint religious action without establishment of a legal entity is prohibited. It means that all people who gather for prayers, etc. without State registration, violate the law and

can undergo administrative punishment. It puts considerable limitations on the notion of religious freedom as laid down in the Constitution. Besides, the procedure of State registration is described in the law in such a way that State bodies can refuse to register any religious association or group. One of the reasons to deny registration is inaccurate information about the religion. At the same time, the religion is understood as a world outlook based on belief in something supernatural.

The State bodies are given the right to issue warnings to religious organizations for law violations (not only violations of this law, but violation of every law, including the rules of accountancy). These warnings can result in liquidation of an organization through court. The court can also liquidate an organization if its activity inflicts harm to citizens. This harm shouldn't necessarily be illegal or without a believer's agreement. Voluntary fasts and refusal from certain kinds of food can be possibly considered as negative influence on health and result in liquidation of an organization. Besides, along with liquidation through court the law provides for non-court procedures that can be used to suspend activity of religious organizations.

The law divides religious organizations into groups and associations. An association can be registered only in the case if it has 10 groups, each having not less than 20 believers. This norm enforces upon religious organizations one pattern of organization, declaring other ones to be inadmissible. So, if somebody can't find 20 co-believers in his settlement and register a religious body, he is deprived of the possibility to maintain normal religious activity, preach, participate in rites, etc. It is a flagrant violation of Article No. 18 of the International Covenant on Civil and Political Rights.

Besides, according to the new law only religious associations have the right to educational, editorial and charitable activity. Groups can't also invite a priest from abroad. The law prohibits carrying out religious rites in the places of habitation even for registered religious organizations. The definition of a religious rite encompasses Biblical studies, family prayers and religious sermons. As a result there appear conditions for illegal State interference with private life. The law includes many provisions that introduce all-round interference of State bodies in affairs of religious organizations and personal religious convictions of citizens.

Adoption of the law was accompanied by protests of religious confessions and human rights organizations of Belarus and foreign countries. Several protest actions in Minsk Streets on the eve of the law consideration were violently dispersed by the police and their participants were punished with different terms of imprisonment and huge fines.

A number of international human rights organizations, churches, Congress of the international association of religious freedom, European Union, the USA and other subjects expressed their protest against the discriminatory law.

In the process of the law adoption the Chamber of Representatives experienced pressure of the law adherents (Presidential administration, Belarusian Exarchate of the Orthodox Church, bodies of executive power and elaborators of the initial law variant). At first the Parliament refused to adopt the law in the second reading. Then this question was reconsidered with violations of the Parliamentary procedure and the law was adopted.

The law adoption initiated the usage of the elaborated repressive norms. In spite of the beforehand statements that the limitations "will concern only "destructive neo-cults", such as AUM Shinrikyo", the repression started with Protestant denominations, Belarusian Autocephalous Orthodox Church, Vaishnaves and Shivaits from "Kaylas Light".

The negative consequences of the new law will be more evident as it provides obligatory re-registration of all religious organizations in the run of the nearest two years.

The situation with the building of Belarusian independent Orthodox in Pahranichny settlement of Horadnia region stands out among other violations of religious freedom in 2002. This building was to belong to Belarusian Autocephalous Orthodox Church. The local authorities permitted to build it, but after the main part was finished, the permission was recalled and was given the order of destruction. There were several days of confrontation between the local authorities who were ordered to ruin the church and the settlement citizens who defended it. Ordinary workers refused to do that, so there appeared army units. The church was destroyed at night. The territory was surrounded by special police forces. After this the church priest faced persecution and had to hide in the houses of his parishioners.

Disappearances of Politicians and Public Activists

The question of the well-known people who disappeared in Belarus remains unsolved. It is probably one of the most serious human rights violations in this country, because disappearance of public activists simultaneously violates several rights: the right to personal freedom and immunity, the rights of families of the missing people. It is still not known what happened to the missing politicians, the political activists Viktar Hanchar and Yury Zakharanka, the journalist Zmitser Zavadski and the businessman Anatol Krasowski are unknown. Valery Ihnatovich, imprisoned for abduction of Zmitser Zavadski is most probably a mere performer – the investigation didn't manage to find the location

of the kidnapped journalist or his body. The court paid no attention to information that implicated some high-level State officials in this case. For instance, it rejected testimonies about existence of special units, called "death squadrons" that dealt with physical extermination of the regime opponents.

Persecution of the persons who were drawing public attention to the problem of disappearances of well-known people was going on as well. Ihar Aksionchyk who stated that Prosecutor General Viktar Sheyman had some relation to the political disappearances was sentenced to 1,5 years in jail with postponement of the sentence execution. Major-general M. Lapatsik, colonel Alkayew and relatives of the missing general Yu. Zakharanka had to emigrate. The authorities refuse to provide wives of the missing people with any concrete information about them. There were arrests of people participating in "Chains of Concerned People", the detainees were punished with large fines or imprisonment.

In 2002 Head of Vitsebsk organization "Contour", a leader of the local BPF branch Yury Korban disappeared. His mother is sure this disappearance was politically-motivated. The investigation refrains from action in all the cases.

Regrettably enough, the State doesn't execute its duty of finding the people missing. Human rights organizations try to draw attention to this problem and make an alternative investigation but it has little effect as the authorities are interested in hiding the real circumstances of these disappearances. In 2002 the problem of the missing people was upgraded to Parliamentary level: there was a deputy inquiry to Prosecutor General Viktar Sheyman, but his answer didn't contain any new information.

Political Persecution

Criminal persecution of political activists and their families remains another serious problem of Belarusian society. For instance, family of ex-Speaker Mikhail Chyhir is still pressurized by the authorities. His son was accused of stealing automobiles and punished for it. This case bears some signs of revenge to the oppositional activist for his activity. Mikhail Chyhir has been sentenced to three years of imprisonment with confiscation of property and postponement of the sentence execution for two years.

The KGB workers who pushed the Homel citizen, participant of ZUBR youth movement Andrey Zaytsaw to suicide, remain unpunished. We know the name of the KGB worker who pressurized the youngster. There are audio recordings of workers of secret services blackmailing Andrey Zaytsaw, demanding to work for them. In spite of this, the case was closed.

One can make a mistake and consider early release of the political prisoner, deputy of the Supreme Soviet of the 13th Convocation Andrey Klimaw as a positive moment. He spent 4 years in jail. Klimaw was called a personal enemy of Aliaksandr Lukashenka. This imprisonment doesn't witness the good will of the authorities – it is a result of general amnesty. Klimaw was released, but other political prisoners remain didn't cease to exist. Among them there are the journalists, sentenced to limited freedom Mikola Markevich, Pavel Mazheyka, Viktar Ivashevich, Homel medial scientist Yury Bandazhewski who tried to prove the moral turpitude of the State policy concerning the radiation-polluted lands of Chernobyl zone.

Some observers consider the arrests of heads of some large State enterprises that had public repercussions as yet another form of political persecution. At the end of 2001 detained were Head of Minsk refrigerator factory Atlant Leanid Kaluhin and Head of Belarusian railway company Viktar Rakhmanko, in 2002 – director of Minsk tractor factory Liavonau, director of Minsk factory of sparkling wines Mikhail Haradzey and a number of other directors of large State enterprises. All of them were charged with white-collar crimes. Most analysts think that this campaign has little to do with anticorruption activity and created a fearful atmosphere in society. No State officials can feel safe due to obscure and uncertain nature of Belarusian legislation. Some people attribute these detentions to the fact that the mentioned people didn't support Lukashenka during the Presidential election of 2001. The authoritarian regime is based on personal devotion of state officials to the State and Lukashenka himself. President can't forgive his "comrades" their uncertainty during the Presidential campaign – otherwise there's a possibility that people will less fear repression, which is a crucial method government. So, this "anticorruption campaign" can be personal revenge against some elite representatives who are to be "punished publicly".

It's difficult to say whether the arrested directors really committed the crimes they are accused of, but it's doubtful that they will stand fair trial. The extent of their guilt was defined during their arrest. There remain certain formalities to be observer and a court decision to be made. The cases of public importance that are "personally controlled by President" (this formulation characterizes the balance of the judiciary and the executive power in Belarus) usually end up with the sentence that suits the authorities in the present period of time. The director of a large State enterprise, arrested and accused of corruption, can't be justified by the court, it is an impossible thing for Belarusian judiciary system. Such justification will mean supremacy of the judiciary power or at least equality of the two power branches, which will limit the self-will of the authoritarian leader.

There are still many groundless detentions and arrests, cases of political persecution, violations of the civil right to peaceful assemblies and demonstrations. Illegal arrests and large fines remained consequences of mass protest actions. In this aspect the Belarusian authorities demonstrate invariable intolerance to mass manifestations – they almost always finish with arrests of participants.

Traditionally, many detentions were made during the celebration of the Freedom Day on 25 March. On April 19 the police demonstrated groundless violence while dispersing the action We Can't Go on Living This Way. At each of these actions the police arrested dozens of people. Many of them were under age. The people arrested during the action of April 19 were deprived of the right to counsel.

In 2002 facts of inhumane treatment towards participants of unauthorized opposition actions, beating of political and public activists remained a part of everyday life. Dozens of people suffered from police violence. However, this year in Belarus brought about the first case when two policemen were sentenced for abuse of office which in fact means torturing detainees. This interesting precedent resulted in an "unauthorized meeting" of protest against the punishment of their colleagues, carried out by Minsk policemen on 28 March.

There're almost no independent defense counsels in the country. The few advocates who deal with political cases face the risk of being persecuted. We have already mentioned the case of Ihar Axionchyk who was imprisoned and excluded from advocatory board because of his professional activity. The advocates Z. Ivanishka and V. Stramkowskaya who defended opposition leaders at trials, were pressurized by the State and the controlled advocatory boards. Ivanishka defended people at a number of trials of great public importance, connected with human rights violations. His activity was subject to a series of groundless check-ups.

They are political repression and human rights violations that make many citizens to seel political asylum abroad.

Unfavorable Climate for Civil Society

The conditions for functioning of NGOs remain bad – discriminatory legislative norms put obstacles to creation of non-profit making organizations and limit their activity. In 2002 the authorities continued to pressure Union of Belarusian writers. Berastse center of support for public initiatives Vezha was liquidated after two warnings of the Ministry of Justice. The content of the warnings seems strange. For instance, Vezha was accused of writing its postal address in Belarusian and mentioning an unregistered

organization in its bulletin. During the Presidential electoral campaign of 2001 the authorities confiscated the organization equipment of Homel NGO Public Initiative. In 2002 the court found this confiscation to be legal. At the end of 2002 brought about the initial stage of the liquidation trial of Homel public association Hart.

UEFA and FIFA protested against the interference of Belarusian administration in activity of Belarusian Football Federation. Representatives of these international football confederations pointed out that the events that took place at BFF assembly could result in exclusion of Belarus from the international football community and non-admission to international games.

A number of public associations weren't registered. The reasons for refusals most often had nothing to do with the law. For instance, several regional branches of PA HRC Viasna weren't registered for very dubious reasons. In addition, in Belarus there exists the permissive principle of registration. It means that activity of unregistered public associations is prohibited and punished with fine or up to 15 days of jail.

Registration of a public association is possible only after assessment by the special republican Commission on Registration (re-registration) of Public Associations, established on the initiative of President Lukashenka and consisting of members of KGB, Ministry of Justice, Security Council and other state bodies. In 2002 this committee didn't gather for a long time, as a result registration of public associations was blocked for half of the year. The assesment functions as a body of State censorship: the commission evaluates not the juridical order, but political expediency of registration of the applying organization. Neither the commission status, nor the decision making procedure are specified in any law or a governmental regulation. The commission works covertly, representatives of the associations awaiting the registration decision are not allowed to attend the meetings. The terms of sittings are secret. Founders of public organizations cannot appeal against actions and conclusions of the Republican commission on registration of public associations as this body is not a legal entity and can't stand trial in the capacity of a defendant.

Beside juridical interference in NGO's activity, there are other difficulties. In 2002 offices of public associations, including those of HRC Viasna were often robbed. Public organizations have no defense against illegal searches. Activists of human rights and other public associations are persecuted. In 2002 several activists of HRC Viasna (Aleh Zhlutka, Siarhey Malchyk) were detained and administratively punished in connection with their human rights activity. Members of Belarusian Student Association that was

liquidated in 2001 faced threats of expulsion from the higher educational establishments they studied at.

The authorities hinder the informational activity of human rights organizations. In 2002 there were registered several hacker attacks on the web pages of HRC Viasna and Charter'97.

Another problem is interference with activity of political parties – the authorities put juridical barriers (non-registration of the United social-democratic party), tap telephone conversations (some telephone talks of the United Civil Party leader Anatol Liabedzka were illegally recorded and then published in the State press), issue warnings (UCP). The rights of political parties were also violated during forming of the electoral commissions on elections into local Deputy Soviets. Though many experienced and educated people became candidates to the commissions, executive bodies included there very few members of political parties, refusing to all the rest completely disregarding all electoral laws. By this the authorities violated the norms of the Electoral code that states that the commissions include members of political parties. Now there's almost no hope that this election will be democratic, free and just.

In 2002 the authorities used two tactics against trade unions. They tried to exercise complete control of the largest trade union in the country – Belarusian Federation of Trade Unions. It was to certain extent determined by the role in which BFTU leader Uladzimir Hancharyk appeared at the Presidential election of 2001. On the other hand, the activity of trade unions is ignored and hushed up. State enterprises put obstacles to registration of their branches on the enterprises premises. Offices of trade unions have been repeatedly assaulted. The small number of independent trade unions that exist at State enterprises are semi-prohibited. Intensified pressure on BFTU has lead to its actual conversion to a State-controlled agency. On July 16 Leanid Kozik was appointed its Chairman. This candidature was affirmed by A. Lukashenka. The International Labor Organization expressed its protest against such interference with affairs of Belarusian trade unions. Now there is a possibility of BFTU being excluded from the number of real trade union organizations.

2002 witnessed the most populous strikes by Belarusian workers for the last 10 years. Even teachers and ambulance staff were striking. Belarusian businessmen showed the highest level of unity. It is the most probable reason for the state acting repressively towards their leader Valery Levanewski. The authorities used the courts to impede the strike. The activists of the 2001 Presidential campaign who worked for oppositional candidates are still losing their jobs.

There were constant violations of the right to work and social security. There were registered dozens of cases when people were fired for participation in the public life of the country. The ex-candidate for Presidency Kryzhanowski was prohibited to participate in TV and radio broadcasts. In spite of appeals to court, the authorities didn't increase the pension to the former Parliament Chairman Stanislaw Shushkevich and he still gets only $2 per month.

Belarus Still Retains Death Penalty

In 2002 fewer people were sentenced to death compared to 2001, which is a positive fact. The number of death judgments by Belarusian courts gradually decreases. Regretfully enough, it happens not because of inadmissible nature of the penalty, but as a result of constant pressure of international bodies. Belarus remains the only European country that punishes people with death. We cannot say that the attitude of the State administration to this problem changed much.

The Parliamentary listening on death penalty demonstrated that Belarusian authorities still treat it as an extraordinary but acceptable means of persecution. Though no important decisions were taken as a result of the listening, it had a great public importance: both adherents and adversaries of death penalty expressed their opinions in public. The majority of speakers didn't express their thoughts in a straightforward manner, saying that though the death penalty couldn't be used in a civilized society, Belarus couldn't stop using it in the near future.

We should emphasize the importance of international influence on the position of Belarusian government. Membership in the Parliamentary Assembly of the Council of Europe is one of priority directions of Belarusian politics, abolition of death penalty is a necessary condition for membership in this organization. This fact can make Belarusian Parliament more quickly understand the necessity of solving the problem.

So, in 2002 the hopes for certain liberalization of the regime didn't come true – it remains authoritarian and is against human rights. Totalitarianism, in fact, remains the official ideology: the State still craves for imposing control on every aspect of public and private life.

CRIMINAL PERSECUTION BY THE TERMS OF ARTICLES NO. 367 AND 368 OF THE CRIMINAL CODE OF THE REPUBLIC OF BELARUS (DEFAMATION OF PRESIDENT AND INSULT OF HONOR AND DIGNITY OF PRESIDENT OF THE REPUBLIC OF BELARUS)

On 13 January the journalist of Pahonia newspaper Pavel Mazheika was summoned to the investigator of Horadnia regional prosecutor's office Aleh Kulevich as a witness. The interrogation was connected with the case initiated by the prosecutor's office on 5 September 2001 the article of newspaper No. 36 that was considered as defamation of President (a crime introduced by the new Criminal code). On the New Year's Eve the investigator had a telephone talk with the Pahonia editor-in-chief Mikola Markevich. The investigator stated his intention to charge the journalists with defamation of President. M. Markevich was summoned to the prosecutor's office on 5 January. The sub-poenas given to the journalists specified that they could take their advocates with them, which confirms that the prosecutor's intention was serious (usual interrogation of a witness takes place without an advocate). The investigator asked Pavel Mazheika about who owned the computer equipment, confiscated by the prosecutor's office in the newspaper's editorial office. Besides, Kulevich demanded from P. Mazheika to characterize M. Markevich and then gave him the subpoena to one more interrogation.

17 January brought about certain changes in the criminal case initiated against the citizen of Rechytsa (a town in Homel region) Natallia Brel upon Article No. 367 of the Criminal code (defamation of President in public speech, published or publicly demonstrated work or in mass media). The advocate Zmitser Ivanishka said: President was recognized as a victim. The Office of Prosecutor General explained what is to be done with victims in such cases. This is a libel case – attitude of the victim is very important in such a case. As always, if somebody is insulted, it is very important to know the opinion of the insulted person. It is the opinion of the victim, which is taken into account when passing a verdict. That is why the victim should be present at the trial. In this case the victim will be probably represented by somebody from the President's office…" The prosecutor's office took four months to examine the gift that Natallia Brel had passed to Rechytsa town executive committee for President on his birthday. However, U. Viadzhun, Head of Organization-staff Department of Rechytsa Executive Committee, didn't send the parcel to President. He opened it, saw there a slipknot, other small things and notes. He passed this "birthday parcel" to the prosecutor's office. On 13 September the major investigator of the prosecutor's office Yury Dziamianchyk initiated a

criminal case against Natallia Brel for public insult of Aliaksandr Lukashenka. Though the accused spent three days in a detention center, she didn't plead guilty and said that she only packed the gifts of Rechytsa citizens into a parcel and passed it to the executive committee. On 8 September Natalla Brel was released from the detention center after she gave a written undertaking not to leave the place of permanent residence. This undertaking creates obstacles for her work and research as a post-graduate of Belarusian Academy of Sciences.

On 25 January member of the Young Front Aliaksey Kubrakow was summoned to the Prosecutor's Office by the investigator on the cases of high importance U. Shrubok. The reason was the administrative reports composed on Aliaksey on 30 August 2001 for the violation of the first part of Article No. 143 – posting of stickers. The investigator only asked Aliaksey who had given him the stickers. The latter answered that he didn't remember and went away after the interrogation report was drawn up. In September 2001 Minsk City Prosecutor's Office initiated a criminal case by the terms of Article No. 367 of the Criminal Code of the Republic of Belarus (CC RB) – defamation of President, for the mass distribution of the printed production in July – September 2001. Now the members of youth organizations who had been detained during the electoral campaign for the distribution of the printed editions are summonsed to the Prosecutor's offices as witnesses. One of them was Aliaksey Kubrakow.

On January 28 a criminal case was brought against the leader of United Civil Party Anatol Liabedzka. He was summoned to Minsk Savetski Borough Board of Internal Affairs by the investigator Ivan Zeliankowski "for explanations about accusing the President of arms trade with the outlaw countries". The prosecutor's office concluded that the publication in Narodnaya Volia that quoted Mr. Liabedzka's words was a reason for initiation of a criminal case upon Article No. 367 of Belarusian Criminal Code: defamation of President of Belarus.

On 4 February the Pahonia journalist Pavel Mazheika was again summonsed to Horadnia regional prosecutor's office. Investigator of cases of particular importance Aleh Kulevich was especially interested in the location of the newspaper editor-in-chief Mikola Markevich. At the end of the interrogation Kulevich gave Mazheika a subpoena for 14 February and warned him of the possible accusation of violation of the Criminal Code.

On 14 February started the first trial on the first part of Article No. 368 in the history of the law machinery in Belarus. The Prosecutor's office accused the local activists of the ZUBR movement Mikhail Kisialiow Maksim Patupchyk, Ales Pawlovich, Dzianis Senakosaw, Zmitser Shalashkow of insult to President. On August 14, 2001 activists of the

Shklou branch of ZUBR put funny masks on their faces and went to shops, meeting with electors.

The police stopped the performance as the moustached masks reminded them of the Presidential candidate Aliaksandr Lukashenka and took five ZUBR activists to the Shklow town board of internal affairs. A mask, a photo camera and T-shirts with the symbols of the ZUBR movement were confiscated. Two detainees were released at 1 a.m. because of their minor age. The police drew up reports registering violation of Article No. 156 of the Code of Administrative Violations (“disorderly conduct”) by the adults, who also had to spend the night in the cells.

On 15 August the local administrative court acquitted the detainees. However, on the following day a criminal case was initiated by the terms of the first part of Article No. 368 “insult to President of the Republic of Belarus”. On the first day of the trial in Shklow, Judge Khaladtsova decided to postpone the further consideration to 26 February because a witness had fallen ill, in spite of the will of Prosecutor Aldonava and the advocates of the accused to continue it. All of the accused refused to bear testimony, saying the accusations against them were ridiculous. When the prosecutor presented to the court the moustached mask that reminded her of Aliaksandr Lukashenka the present people started to laugh. One of the witnesses said the mask looked much like her father.

On 13 February the investigator of cases of particular importance Aleh Kulevich pressed charges against the Pahonia editor-in-chief Mikola Markevich and its journalist Pavel Mazheika. The Criminal case against the journalists was instituted on 5 September 2001 under Art. 367 part 2 “Defamation of President of the Republic of Belarus”. The article provides for the punishment of up to 5 years in prison. The police confiscated 10 750 copies of the special issue of Pahonia newspaper that was in the process of printing. The confiscated number was devoted to the Presidential election in Belarus.

On 28 February the consideration of the criminal case of "insult to President" continued at Shklow District Court. At the second sitting two witnesses testified. They had seen the performance at the Haradzets collective farm. They didn't say anything that could be useful for the court. At the sitting advocate Paviel Sapelka solicited for psychological and artistic examination. The court rejected the petition and postponed the trial to 14 March.

On 12 March the criminal case initiated against Mikola Markevich and Pavel Mazheika was sent to court. The decision belongs to Deputy Prosecutor of Horadnia region Uladzimir Aniska. The journalists are charged with libel upon the president. The

investigation ignored the results of 3 (three) literature expert examinations, which said, "Pahonia" texts did not contain libel. One commission of experts was independent, the other 2 worked on request of the investigator.

On 13 March Mahilew polytechnic college administration decided to punish its student Aliaksxandr Pawlovich before the court made its decision. The College Board considered the issue of expelling the active participants of the election campaign – Aliaksandr Pawlovich and Aliaksandr Kalita. The college director Aliaksandr Shaptsits initiated the issue. Almost all Board members supported his proposal. The final decision about expelling the students from college will be made by Leninski Borough Juvenile Commission of Mahilew.

On 14 March Shklow district court finished the trial on criminal charges of "public affront of the President of Belarus" under Art. 368 part 1 of the Criminal Code. The court interrogated the art critic Yury Barysevich. He evaluated the events in Haradzets from the artistic point of view: "This was an artistic action – a performance. This kind of modern art is actively developing in Belarus. A performance can touch upon any sphere of life: political, erotic, and philosophical. The process, not the result is important. Authors of such actions intend to lift a border between art and everyday life. The 14 August events in Haradzets have all features of a performance – dramatized action. There were props, a script, actors, viewers, demonstration place". The defender Pavel Sapelka asked the art critic: "Can the actions of young people be evaluated as indecent and insulting?" The performance expert said: "Judging from the viewers' reaction – no. Their reaction was neutral. Only a policeman was angry". Nevertheless, 5 young people were found guilty of "public insult to President of the Republic of Belarus", a crime under Art. 368 part 1 of the Criminal Code. The participants of the performance in the village of Haradzets Mikhail Kisialiow, Maksim Patupchyk, Ales Pawlovich, Dzianis Senakosaw and Zmitser Shalashkow were fined 20 minimal wages each.

On 20 March the administration of Mahilew Polytechnic College expelled third year students Aliaksandr Paulovich and Aliaksandr Kalita. Mahilew Lieninski Borough Juvenile Committee had earlier agreed to that measure. Aliaksandr Pawlovich and Aliaksandr Kalita are activists of ZUBR youth movement. On 14 March Shklow District Court found A. Pawlovich guilty of "public insult to the President of the Republic of Belarus" (the first part of Article No. 368 of the Criminal code) and fined him 20 minimal wages. Aliaksandr Kalita has been administratively punished several times for distribution of printed editions and agitation materials during the electoral campaign.

On 27 March Rechytsa Town Court was to have tried Natallia Brel (by the terms of the first part of Article No. 368, insult to the President of the Republic of Belarus). However, the defendant did not appear in court for a second time in spite of the reconduction ruling. As a result, the trial was delayed for an unspecified period of time. It is rumored that Natallia Brel has left Belarus and is in Belgium where she has applied for political asylum. If this information proves to be true the case can be considered in absence of the accused.

On 9 April the trial over Markevich and Mazheika was supposed to take place. In the morning a lot of people, mostly Belarusian and foreign journalists, gathered near Leninski Borough Court of Horadnia. Mikola Markevich and Pavel Mazheika appeared in the courtroom, wearing T-shirts with a slogan: "I am a journalist, not a criminal". The courtroom, that can accommodate 80, had at least twice as many people. The hearing did not start for a very long time. Finally, the court secretary appeared and announced that the hearing would be postponed because of the judge's illness. Actually, that means that now a new judge will be appointed, he needs time to review the criminal case materials. Eventually, the new judge will appoint a new date for the trial, but it may happen only at the end of the month.

After that everybody went to Leninski Borough Board of Internal Affairs to meet Ales Dvaretskaw after he had served his 4 days-sentence for participation in the picket to support the Pahonia journalists. Several dozen people gathered near the jail. That is why the policemen made Dvaretskaw get into a car in the backyard and took him straight home. He only managed to wave his hand to the people, who had come to meet him. The journalists held a press conference in the office of Horadnia Belarusian People’s Front.

By the way, Pahonia journalists enjoy very strong support in the neighboring Poland. They were officially supported by the office of the Polish President A. Kwasniewski, Nobel Prize winner Czeslaw Milosz, and by editors-in-chief of the influential Polish editions: Adam Michnik (Gazeta Wyborcza), Maciej Lukasievicz (Rzeczpospolita), and Pawel Fonfara (Zycie). The biggest Polish newspaper Gazeta Wyborcza introduced a column, where it regularly provides an update on the Pahonia situation.

Journalists in Bialystok (Poland) carried out a picket in support of Markevich and Mazheika. The picket participants addressed a statement to Belarusian consul-general in Bialystok.

On 3 May Judge of Horadnia Leninski Borough Court Tatsiana Klimava was to have considered the case of the Pahonia journalists charged with defamation of President.

Klimava was appointed instead of Judge Mikalai Siarheika, who had suddenly got ill on 9 April, when the hearing was supposed to have begun. On 3 May Klimava announced her decision to have the hearings delayed, explaining that she needed time to "finish her drug case". Among the journalists Tatsiana Klimava is known for adjudging journalist Andrzej Pisalnik guilty of "insult to honor and dignity" in 2001. Later her decision was repealed by Horadnia regional court.

On 16 May Leninski Bborough Court of Horadnia was supposed to start the hearings of the criminal case against Pahonia journalists. Mikola Markevich and Pavel Mazheika, editor and reporter of the recently liquidated newspaper Pahonia are charged with defamation of Belarusian President. The journalists face up to 5 years of imprisonment. Originally, the trial was to have started on 9 April. But the judge got ill, and a new judge was appointed. During 30 days the new judge was familiarizing himself with the case materials. However, the trial was postponed again to 4 June. Illness again was the reason for postponement, but it was the prosecutor, who got ill that time. 16 May at 11 a.m. a huge crowd of people gathered outside Leninski borough court of Horadnia. Again, as it was a month ago, many journalists and human rights activists, NGO members – about 100 people – came to the trial. Representatives of the Embassies of the USA, Czech Republic, Great Britain, Germany and Poland were present. All people who had gathered outside the court had only one hope that the trial would finally begin. Horadnia authorities had carried out some “preparation measures” just before the trial. Firstly, all graffiti calling for solidarity with the journalists (like “Freedom to Markevich!” or “Together with Pahonia!”) were wiped off the court walls and the walls of all other buildings in Horadnia. Secondly, practically one day before the hearing, strangers severely beat another Pahonia reporter, Yury Humianiuk. Humianiuk is sure he has been attacked because of his work with Pahonia. From the very beginning the public got alert by the open access to the court building. The people stood near the room of Judge Tatsiana Klimava and waited for the invitation to enter the courtroom. However, when Klimava invited Markevich and Mazheika, together with their lawyers Tsurko and Pahaniaila to the courtroom, the police blocked the doors, refusing to let the public and journalists in. Even Mikhail Pastukhow, who was supposed to participate in the hearings as a public representative of the journalists, was denied access to the courtroom. The people were not allowed into the courtroom because of its small size, although the empty courtroom next door was twice as big. The policemen remarked mockingly one should book a place in the courtroom in advance. When the defendants and their lawyers left the courtroom and told the public what had happened, the people couldn’t help smiling. The hearing will be postponed again, to 4 June. This time the reason for postponement was really weird: illness of the…prosecutor! Instead of coming to the

hearing, Prosecutor Rabaw called and said he felt bad and couldn't come. It is a usual practice that in such case deputy prosecutor or his assistant appears for prosecution. However, this time the judge decided otherwise and appointed a new prosecutor – Yawhen Shcharbak. Shcharbak was given 3 weeks for familiarizing with the case materials. The new hearing was appointed for 4 June.

On 4 June the trial over Pahonia editor-in-chief Mikola Markevich and the newspaper's journalist Pavel Mazheika continued. The sitting lasted for an hour. At first Mikola Markevich solicited for transferring of the trial to a larger hall so that all interested people could attend it. The judge didn't satisfy this motion, failing to provide publicity for the trial. After this Mikola Markevich solicited for challenge of the judge. The court announced a break to consider the solicitation about challenge of the judge. In the end of the break the police closed the entrance doors of the court and 50 people who came to the trial, were left outside. When the policemen opened the door a bit, letting in the US Ambassador Ian Turner, the indignant people tried to enter the court after him. The policemen began to beat them. The entrance door glass was smashed, Mikola Markevich's brother Aliaxei Markevich was wounded with it. The people present had to call an ambulance for Sviatlana Nekh who had been struck on the head with a police truncheon. The court of course didn't satisfy the motion about challenge of the judge either…

In the morning of 5 June the court building was ringed by the police who didn't let anyone in. Access was guaranteed only to journalists from Russia and Western Europe. The court spent an hour deciding whether to allow or prohibit participation of public defenders at the trial. Finally, the judge didn't allow participation of ex-Judge of Constitutional Court of Belarus Mikhail Pastukhow and the well-known advocate Harry Pahaniaila. The official Belarusian mass media didn't give any information about the trial. Horadnia radio mentioned only "hooligans who tried to burst into the court building…"

On 6 June the court interrogated Pavel Mazheika for two and a half hours. The prosecutor's accusation was grounded on the following phrase: "Finally, can the man who fights his opponents by killing them be worth of the people's support?" in the article Let's Go Electing. The prosecutor's office took the opinion that this phrase contained defamation of Aliaksandr Lukashenka and accused Head of the State of murders. Mazheika answered that this article described his own vision of the ideal candidate to Presidential position. That's why this sentence didn't concern Lukashenka or any other concrete persons. Besides, he wrote not of murder, but of political discrediting. During the interrogation it was found out that the prosecutor's office had interrogated Pavel

Mazheika as a witness for half of the year before charging him with defamation. So, the journalist was deprived of the right to defense and the right to refuse from bearing testimony. On that day the trial was attended by representatives of Embassies of the US, Poland, Germany and France.

On 10 June Leninski borough court of Horadnia interrogated Mikola Markevich. The interrogation lasted for 4 hours. In the beginning Markevich expressed his view on the criminal case of libel to the president. Pahonia editor-in-chief called the bill of indictment not a legal document, but a school theme. Markevich drew Judge Klimava's attention to the following circumstances. The charge is based on the statement that 2 articles and the poem, which ostensibly contain a libel to President, have been spread among the readers. However, the employees of the prosecutor's office seized these newspaper issues in the printing house. According to the Law on Press, a newspaper becomes a mass media only when it gets to readers. Markevich's advocate Siarhei Tsurko presented a petition. He thought that the decision of the Supreme economic court about liquidation of Pahonia newspaper influenced the position of the court that judged his client. He pointed out that the Supreme economic court exceeded its powers by liquidating the newspaper on 12 November 2001. That's why he asked to suspend the trial and propose the regional prosecutor's office to apply to the Supreme economic court for cassation of the decision about Pahonia liquidation. The advocate pointed out that in the case if his petition wasn't satisfied the trial over Pahonia journalists could be considered as lawless.

On 20 June Minsk Pershamaiski Borough Prosecutor's Office leveled a criminal charge against Viktar Ivashkevich, editor-in-chief of Rabochy newspaper. The charges are brought under Art. 367 part 2 "attempted defamation of President" and Art. 368 part 1 of the Criminal Code "attempted insult to President". On 20 June lawyer Siarhei Tsurko and Rabochy editor-in-chief Viktar Ivashkevich became familiar with all materials of the case. Now Ivashkevich's case will be submitted to court. Lawyer Siarhei Tsurko: " Art. 368 part 1 carries punishment of a fine, corrective labor, limitation of freedom for up to 2 years, and imprisonment for up to 2 years; Art. 367 part 2 – limitation of freedom and imprisonment for up to 5 years. We are going to defend ourselves. The Ivashkevich's position is better, than the situation of Pahonia editor Mikola Markevich. Rabochy took the article "A Criminal Must Sit in Prison" from the Internet. Besides, one could read the material on different web-sites. There is enough ground for defense".

On June 24, 2002 Horadnia Lieninski Borough Court pronounced its verdict on the case of journalists of the independent Horadnia newspaper Pahonia. Mikola Markevich was sentenced to 2.5 years of limited freedom and Pavel Mazheika – to 2 years. Judge Tatsiana Klimava found the journalists guilty of defamation of President of the Republic

of Belarus (violation of the first part of Article No. 367 of the Criminal Code). Independent observers pointed at the fact that nobody needed such a violent verdict, even the “main victim” who had been trying to make Belarus look like an isle of stability in the center of Europe. On 24 June only journalists and diplomats were allowed to attend the trial. The major part of people who wanted to know the court verdict, stayed outdoors. During the conclusive court sitting youth spread the poster "Justify Markevich and Mazheika!" on the steps of the court building and started to chant slogans, demanding to justify the journalists. The police tried to detain the action participants but didn't manage to do that because of the journalists present. After the the sitting was over, Mikola Markevich came out of the court building and applied to those who had not manage to get inside it. He thanked the present people for their support, telling that their position, courage and responsibility for the future were the reason why the authorities hadn't sentenced them to imprisonment. He also expressed his conviction that the people who had participated in falsification of the case and acted illegally would sooner or later be punished and said that he was going to apply to higher courts protesting against the unjust verdict and struggling for it to be reversed. After this his advocate Siarhei Tsurko took a sheet of paper out of his bag and wrote a preliminary cassation complaint right on a car hood and passed it to the duty judge. The advocate had to write this complaint because there existed certain terms for making such complaints and it could be late otherwise. He said that he would submit the argumentation for the complaint familiarization with the minutes of the court sitting.

On 10 July there was initiated the criminal case against the journalist of radio Liberty Alena Pankratava upon Article No. 367 of the Criminal Code for distribution of the material about A. Lukashenka’s visit to Austria in spring 2002. This material appeared on radio Liberty and later was reprinted by the newspaper Narodnaya Volia.

12 July brought about the criminal case against Anatol Liabedzka in connection with the article in Narodnaya Volia where he accused Lukashenka’s government of arms trade with the outlawed countries. Liabedzka was leveled charges under the first part of Article No. 367 of the Criminal code. The criminal case was initiated on Liabedzka’s return from the session of PA OSCE in Berlin which had adopted a resolution that Belarus sells arms to countries sponsoring terrorism.

On 15 August Horadnia regional court didn’t satisfy the cassation complaint of Mikola Markevich and Pavel Mazheika. However, the cassation instance decided to apply to them the amnesty law and decreased the duration their limited freedom by one year.

On 1 September Mikola Markevich and Pavel Mazheika started to serve their limited freedom terms in Asipovichy and Zhlobin. On 6 September Pavel Mazheika was employed as an unskilled worker by a private sawmill in Zhlobin. At first he wanted to work at a local newspaper or school, but Yury Kuzmich, Head of Zhlobin Limited freedom Institution, prohibited such kind of employment. If Pavel hadn’t found a job, he could have been forcibly employed by the institution’s administration or charged with evasion from punishment. Pavel Mazheika became the 91st dweller of the limited freedom institution in Zhlobin. This is a hostel that has a common corridor, single bath and toiled rooms for each pair of rooms. The hostel belongs to Zhlobin Building Trade Company, that’s why the prisoners have to pay 7 000 rubles monthly for their stay there. The administration checks up presence of the prisoners three times a day: at 6.30 a.m., 3 and 10 p.m. Not far from the hostel there is a postal office with Internet and the telephone that connects to other towns and cities. There are also a shop and a dining room in the neighborhood.

On 11 September Pershamaiski Boroug Court of Minsk ruled to hear the criminal case against Viktar Ivashkevich, editor-in-chief of the independent newspaper Rabochy. Ivashkevich was charged with attempted crime under Art. 367 part 2 of the Criminal Code "Defamation of President of the Republic of Belarus". According to the mentioned article, "spreading deliberately false and humiliating information about President, connected with accusation of a grievous felony" can result in up to 5 years of jail. Besides that, Ivashkevich was charged under Art. 368 part 2 of the Criminal Code with public insult of President. The article provides for up to 3 years of prison. The prosecution stated that Ivashkevich attempted to insult and falsely accuse President of corruption, when he decided to publish article "Thief Must Be in Prison" in his newspaper. The article was written on the eve of the Presidential election in September 2001. It contained information about facts of possible corruption in President's Office and state arms trade. According to the Belarusian legislation, libel is considered committed if at least one person learns about it. However, the issue with that article was not distributed. On request of censor Uladzimir Hlushakow the prosecutor's office stopped its printing and seized from the publishing house all of 39 500 copies which had already been printed. None of the copies reached the readers. That is why Ivashkevich was charged not with "libel", but "attempted libel". Ivashkevich didn’t plead guilty. He said that the facts of the article were known to public from other mass media, radio broadcasts and Internet. Ivashkevich was defended by the well known advocate Tatsiana Stankevich.

The judge violated the judicial procedure with the ruling to close the trial for public. The people refused to leave the court hall and the judge called for a special police forces

group. According to the Code of Criminal Practice, the judge can close the hearing only in the following cases: protection of state secrets, trials over people under 16, cases connected with sexual crimes and other cases, with a purpose to prevent information spread on privacy matters or information, which humiliates trial participants, and for protection of a victim, witnesses or other trial participants. Young people in sports clothes, resembling skin-heads, stopped the journalist Valery Shchukin on the stairs. They tried to drag him down and tore his shirt. It turned out the skin-headed young people were policemen. Valery Shchukin immediately filed a complaint about their actions with the court and with Pershamaiski Borough Board of Internal Affairs.

At 12.30 a.m. on 12 September the debates on the criminal case against Ivashkevich were over. The prosecutor requested to sentence Ivashkevich to 3 years of forced labor (limited freedom) if the defendant was found guilty.

On 16 September at Minsk Pershamaiski Borough Court Judge Uladzimir Kobyshaw pronounced the verdict on the criminal case against the editor-in-chief of the independent newspaper Rabochy – 2 years of limited freedom. Viktar Ivashkevich was found guilty of attempted defamation of President of Belarus (part 2 of Article No. 367 of the Criminal Code) and public insult to the President (part 2 of Article No. 368 of the Criminal Code. After the end of the trial Viktar Ivashkevich held a press conference at the entrance of the court. He said that this was a pure politically-natured punishment and he would appeal against it in Minsk city court.

On 20 September the journalist Mikola Markevich found a job as a watchman at the private Asipovichy firm Sirius. Work is a compulsory element of punishment in the open correctional facilities. Mr. Markevich spent three weeks looking for a job.

On 25 September the first Secretary of the Embassy of the United States of America in Belarus Tad Contac and the third secretary Ian Turner visited open correctional facilities (OCF) in Asipovichy and Zhlobin in order to examine the conditions in which Mikola Markevich and Pavel Mazheika have to live and the psychological state of the convicted journalists. The diplomats said the US Embassy would gather information on persecution of the Pahonia journalists and do everything possible to make sure similar cases would never take place again. Waiting for the visit, the policemen of Zhlobin OCF painted its entrance. They used a correctional facility car to fetch P. Mazheika from the sawmill two hours before the end of his working day. The local KGB checked all OCF rooms… The diplomats' car was continuously followed by another one, with the people inside shooting all their actions.

On 15 October Minsk City Court ruled to confirm the judgment made by Pershamaiski Borough Court of Minsk against Rabochy editor Viktar Ivashkevich. The court turned down the cassation complaint made by Ivashkevich's counsel Tatsiana Stankevich. The court session lasted no more than 30 minutes. Neither Ivashkevich nor his counsel had expected the judgment would be cancelled. The only thing he hoped for was that the term of his sentence would be shortened under the Law on Amnesty.

At the end of October Minsk Central Borough Prosecutor's Office initiated a criminal case against Aksana Novikava for alleged defamation of President of the Republic of Belarus. Aksana Novikava was detained in Minsk on 17 October for distribution of fly-sheets near Yakub Kolas Square. Here's an excerpt from the ruling ordering the institution of the case: "On 17 October Aksana Novikava distributed fly-sheets near house No. 23 in Frantsysk Skaryna Avenue. These fly-sheets contain libel to President of the Republic of Belarus, and mention offences allegedly committed by President". Aksana Novikava can be sentenced to up to 5 years of limited freedom or imprisonment. She had to give a recognizance that she wouldn't leave the city. Aksana Novikava is 29 years old, has secondary special education – leather goods manufacture technologist, worked as a businesswoman and lived in France for some time where she had given birth to a daughter. Then she returned to Minsk, her home city…

On 16 December the editor-in-chief of Rabochy newspaper Viktar Ivashkevich went to Baranavichy to spend there the term of his limited freedom sentence. On December 18 he was employed by the independent Baranavichy newspaper Intex-press as a courier. The authorities of his open correctional facility had nothing against it.

At 4 p.m. on 26 December Mikola Markevich was taken to the cardiology department of Horadnia hospital No.2. On December 23 he was allowed to go home for the weekend. At 10 p.m. on 26 December Pahonia editor-in-chief was to have returned to Asipovichy, but felt bad and had to apply for medical aid.

POLITICALLY MOTIVATED CRIMINAL CASES

The beginning of the year brought about a new wave of arrests of major enterprises' heads. Among them one can find the notorious detention of Mikhail Liavonaw, director of Minsk Tractor Factory (seized on 8 December in Orsha, during the attempt to leave the country"), Anatol Kirykaw, director of Homel Radio Factory and Anatol Pratasenia, director of Zadniaprowski market in Mahilew. Criminal cases for alleged negligence and abuse of the official powers inflicting large-scale harm were initiated against them. Market directors were accused of bribery at their working places… Mikhail Liavonaw was charged with participation in the crimes, described by the second part of Article No. 166 and Article No. 168 of the Criminal Code – abuse of the official position with negative consequences and negligence that resulted in large-scale harm. By the way, M. Liavonaw was considered as a possible candidate for Presidency, but didn't dare to put up his candidature for the election. New arrests after the end of the Presidential campaign continued the practice. The candidate to Presidency, director of Minsk Refrigerator Factory Leanid Kaluhin was detained. We should remind that at that time Lukashenka said 15 directors of enterprises would be imprisoned. The plan is being successfully executed.

On 2 December four participants of Freedom March that took place in 1999 were judged in absentia (they live in Poland and have there the status of political refugees). Minsk City Court found Herman Sushkevich, Hleb Dohil, Andrei Valabuyew and Anton Lazaraw guilty of disorderly conduct and fined them 50 minimal wages each.

On 25 December at the conclusive sitting of the Board of Internal Affairs Ministry the Minister Uladzimir Navumaw said that in 2001 about 400 heads of enterprises and organizations were criminally punished. He described MIA work in this direction as "encouraging".

On 25 January the term of L. Kaluhin's arrest was prolonged to four months. Ex-General Manager of the biggest Belarusian enterprise was detained in the end of 2001 and is still kept in the Navinki psychiatric hospital. L. Kaluhin was charged with violation of three Articles of the Criminal Code: abuse of office, bribery and negligence.

On 11 February over 50 people formed a Chain of Concerned People outside the prison on Kalvaryiskaya Street. This day marked 4 years since the imprisonment of Andrei Klimaw. Four years ago the regime started cynical reprisal against MP and businessman Andrei Klimaw. Andrei's family, friends, colleagues and ordinary Belarusian citizens who

care about their repressed compatriots, gathered at the prison walls. Numerous uniformed and plainclothed police officers filmed the event.

In February the advocate Siarhei Tsurko filed a complaint with the UN Human Rights Committee in Geneva on behalf of the ex-rector of Homel Medical Institute Yury Bandazhewski, who in 2001 was sentenced to 8 years of jail for alleged bribery. Now Bandzhewski is kept in the maximum security prison UZh 15/1 in Minsk. S. Tsurko received the answer that the complaint was accepted for consideration.

On 12 March Judge of Leninski borough court of Minsk Siarhei Khrypach announced his verdict on the case of Aliaksandr Chyhir. The son of the former Prime Minister was sentenced to 7 years of imprisonment and the forfeiture of property. Anton Yashyn, who fell ill with tuberculosis in the pre-trial prison, and Zmitser Yutskevich were sentenced to 7.5 and 11.5 years of imprisonment respectively. Yashyn will serve his sentence in a top security penitentiary, Yutskevich – in an enhanced security penitentiary. Aliaksandr, the younger son of the former Head of Belarusian Government Mikhail Chyhir, was charged with selling parts from stolen cars. Anton Yashyn and Zmitser Yutskevich were tried together with Aliaksandr. Yashyn and Yutskevich had been prosecuted before. In previous cases they both admitted their guilt. This time both Yutskevich and Yashyn pleaded not guilty in their last statements. The defendants said investigators beat them forcing their earlier confessions. Prosecutor Illia Sluka, son of Aleh Sluka, the former dean of Journalism Faculty at Belarusian State University, demanded quite a severe penalty for the defendants. He requested 7 years of imprisonment for Chyhir, 8 years for Yashyn, who is ill with tuberculosis, and 11.5 years for Yutskevich. The judge of Leninski district court of Minsk was as severe as the prosecutor. The tough sentence was a shock for everybody present during the final session. During the trial all arguments of the so-called "victims" practically fell apart. Out of 3 charges, only one was proved: Anton Yashyn suspected that he had bought and re-sold a probably stolen Ford". At the same time, he did not share his suspicion either with Chyhir, or Yutskevich. Nevertheless, the judge just carried out the request of Public Prosecutor Sluka. Mikhail Chyhir, father of the convicted Aliaksandr, is 100% sure, that "the verdict to his son is an open political order, farce and vengeance of the authorities for his active political position". Yulia Chyhir, the mother of Aliaksandr, defended her son during the trial. According to her, no arguments of the defense were taken into account. By the way, Yulia Chyhir also was criminally persecuted during the trial over Mikhail Chyhir.

On 13 March Yulia Chyhir and the lawyer Aliaksandr Pylchanka entered an appeal to Minsk City Court. They demanded the reversal of the severe judgment, considering the

criminal persecution of Aliaksandr Chyhir to be vengeance for political activity of his father, former Prime Minister of Belarus.

At 8.30 a.m. on 25 March the deputy of the Supreme Soviet of the 13th Convocation Andrei Klimaw was released from the maximum security prison in Kalvaryiskaya Street. The decision to release him was taken by the assizes board at Minsk Tsentralny District Court. Three years ago Andrei Klimaw was sentenced to six years in jail and, spent 2/3 of it and used the right of early release. It is quite symbolic that he went out of the prison on Freedom Day.

21 May brought about a sitting on the criminal case against ex-Prime Minister of Belarus Mikhail Chyhir, who was charged with tax evasion in 1998- 1999, when he was working for a German company in Moscow. He was also accused of hiding the profit of 66 thousand dollars from the Belarusian taxation bodies. Mikhail Chyhir stated that under the Belarusian law he was not required to pay income tax in Belarus during that period because he had spent more than 183 days outside the country, working in Moscow. Chyhir referred to the Law "On income tax", which was in force during that time. Chyhir's defense counsel Aliaksandr Pylchanka said the charges were not based on statutory requirements. They had expected an acquittal.

On May 30 ex-director of Atlant enterprise Leanid Kaluhin was released from jail following the changed method of pre-trial restriction of freedom. The investigation of his case was finished, the accused and his defense familiarized with the materials of the case that were submitted to the prosecutor’s office by the Committee of Financial Investigations.

On 10 June the PACE rapporteur for Belarus, German deputy Wolfgang Behrendt and head of the PACE socialist faction Terry Davis visited former rector of the Homel Medical Institute Yury Bandazhewski who is incarcerated in the Minsk jail. Mr. Behrendt noted that Bandazhewski's detention conditions had somewhat improved as the prison administration prepared for their visit…

On 19 June the International league of Human Rights applied to Aliaxandr Luaskenka because the authorities refused to issue visa to Andrei Klimaw. As a result the deputy of the Supreme Soviet of the 13th Convocation was deprived of the possibility to take part in the Parliamentary session of OSCE in Berlin.

On 23 June Minsk Frunzenski borough court sentenced former Prime Minister Mikhail Chyhir to 3 years of imprisonment suspended by 2 years, and the forfeiture of property. Chyhir was accused of negligence, committed when he had been the head of

Belagraprambank and gave a credit of 1 million dollars for purchasing building lifts (Article No. 427 of the Criminal Code). The court dropped the charges because of the end of limitation period, because that happened in 1994. Belagraprambank was rejected the suit of 1 million dollars. The bank has the right to start a civil suit. Chyhir was also accused of tax evasion. Supposedly, Chyhir evaded from paying taxes of 8,357,000 Belarusian roubles in 1998-1999, when he worked for the Russian mission of German company "Gea AGD". The judge found Chyhir guilty, and sentenced him to 3 years of imprisonment suspended by 2 years and property confiscation. Chyhir will be ineligible to hold public offices for 5 years. The court obliged him to pay the State budget 8 357 000 Belarusian rubles and the state tax of 403 000 rubles. Chyhir's lawyer Aliakasandr Pylchanka is going to file a cassation complaint to the higher court. He also reminded the court that in 1999 Mikhail Chyhir spent 8 months in a detention center and physically could not hide his taxes. Pylchanka drew attention to the fact that the judge had completely met the prosecution proposal for the punishment. Chyhir called the verdict "Lukashenka's personal vengeance". "The judge's job was only to read the verdict aloud. It was written in the president's office", -- said Chyhir. He thinks he was debarred from holding public offices so that he would be not able to run in the next presidential election. Representatives of the French Embassy, AMG OSCE and US Ambassador Michael Kozak visited the trial. The latter stated after the trial that "Belarusian judicial system needs fresh air". Ambassador Kozak noted, that the moment opposition politicians start to oppose the authorities, they become subjects of some criminal case. "All the time I have been trying to understand the Belarusian judicial system, I must admit I have failed so far". Mikhail Chyhir, who headed the Government in 1994-1996, was arrested in March 1999 when he joined the opposition. He spent 8 months in a pre-trial detention center. In 2000 Minsk City Court sentenced him to a 3 year suspended term. However, the Supreme Court canceled the verdict and acquitted Chyhir. After that new charges popped up, which resulted in a new sentence on 23 July.

On 24 July Ihar Aksionchyk, the advocate who represented Zmitser Zavadski’s mother at consideration of the case of the missing cameraman was summoned to Minsk Leninski Borough Prosecutor’s Office. He was leveled charges under the second part of Article No. 188 of the Criminal Code – “defamation of an official accompanied with accusation of a felony”. The investigators meant defamation of Viktar Sheiman. Short time before this several newspaper publications appeared where Aksionchyk demanded from Lukaskenka to give an ultimately severe punishment to those who “discredited the State authority”. Mr. Aksionchyk expressed the opinion that his persecution was sanctioned by the highest State authorities. He didn’t take the blame. The accusation article provides up to 2 years in jail.

On 8 October Leninski Borough Court started a hearing of the criminal case against the lawyer Ihar Aksionchyk. At the trial Ihar Aksionchyk solicited for summon of Volha Zavadskaya as a witness. The judge rejected his petition because Zavadskaya had signed a statement binding her not to disclose the investigation materials.

On 12 October Judge Valiantsina Kryvaya sentenced Ihar Aksionchyk to 1,5 years of imprisonment. The sentence was suspended by 2 years. Aksionchyk was found guilty of libeling General Prosecutor Viktar Sheiman. The lawyer voiced his opinion that Viktar Sheiman was behind the disappearances of well-known people in Belarus. The trial was closed for public. In Belarus it was the first case of criminal persecution of a lawyer for expressing his point of view about a case, in which he participated as a representative of the aggrieved party. The court verdict turned these suspicions as defamation. Ihar Aksionchyk, however, pleaded not guilty and stated that he had acted according to the law and his duty.

On 1 November Minsk City Court considered the cassation complaint of the ex-Speaker Mikhail Chyhir who had been found guilty of tax evasion and negligence on July 23. In full compliance with the defense's expectation, the court didn't satisfy the complaint and upheld the verdict of Minsk Frunzienksi Borough Court. As a result, on November 1 the verdict, according to which ex-Head of Belarusian Parliament is deprived of the right to run for any elected State body for five years, took effect. According to it, Mikhail Chyhir is deprived of the possibility to run for any government body for 5 years. The court decision was not a surprise to him. He stated beforehand that his only hope for acquittal was connected with the Supreme Court that can't be pressurized so easily and can demonstrate certain independence from the country authorities.

In December the wife of the world-known radiologist Yury Bandazhewski Halina Bandazhewskaya came to PA HRC "Viasna" on the eve of her journey to the meeting in Paris, organized by Amnesty International. She told us about the conditions of her husband's life. In spite of the fact that his living conditions have become better, his psychological state has worsened. The man who has been involved in scientific research, experiments and work with students has suddenly lost it all. He cannot do any research in the prison. He says that he feels a void in his head that is very hard to bear. The prison administration allows me to pass him only one 30-kilorgam parcel in four months. Yury Bandazhewski has an ulcer and he feels pain and weakness, eating the prison food… In 1998 Yury Bandazhewski wrote a letter to Aliaksandr Lukashenka in order to inform him that the situation in Homel region is dangerous for people's health, first of all for children and pregnant women. In his letter to President Professor Bandazhewski emphasized the

importance of the scientific research concerning influence of small radiation dozes on human body. He tried to train a new generation of radio-pathologists who could do scientific research… In 1999 he was arrested… Yury Bandazhewski used three main sources – clinical material, autopsy materials and experimental data (rats were fed with radioactive corn) to reach the conclusion about influence of small radiation dozes on the human body. He devoted 9 years of his life to study this problem. Sometimes the professor feels depressed and says that he wouldn't deal with Chernobyl problems any more. However, in some time he starts to ask his wife about the results of her experiments, as he simply can't live without science. At present the authorities demand from him to plead guilty, to write that he has really received a bribe and ask for mercy, but he doesn't agree to this. Public organizations of Europe and America have often applied to Aliaksandr Lukashenka with the request to amnesty professor Yury Bandazhewski, but didn't receive any answer.

DISAPPEARANCES OF WELL-KNOWN PUBLIC AND POLITICAL ACTIVISTS IN BELARUS. DEFENSE OF THE PEOPLE'S RIGHT TO GET TRUE INFORMATION ABOUT THE PEOPLE MISSING

On 4 January, the birthday of the missing former Minister of Internal Affairs Yury Zakharanka, about forty activists of the United Civic Party and the unregistered youth opposition movement ZUBR, his friends and neighbors took part in the unauthorized action The Chain of Concerned People at the intersection of Mahilewskaya and Krasivaya streets in Minsk (the place where he was abducted on May 7, 1999), demanding the truth about his fate. More than two years have passed since that time, but the authorities took no measures to find out what had happened to Zakharanka.

On 17 January President of the Republic of Poland Alexander Kwasniewski met with the President of the Russian Federation Vladimir Putin and passed him the letter from Belarusian women – the wives of those oppositional politicians who have disappeared. At the press conference A. Kwasniewski expressed his hope that Putin, using his influence, would "puzzle out the question". He also said that he had talked to Putin about the relations with Belarus and the attitude to the Belarusian opposition. According to him, this question worries the Russian President very much. "Belarus remains an important partner for Russia, but Putin perceives President Lukashenka as a difficult partner", -- explained Kwasniewski.

On 28 January at the closed trial over the ex-officer of the special police unit Almaz Valery Ihnatovich there were interrogated important witnesses. The court continued investigating the abduction of Zmitser Zavadski on 7 July 2000 and charged with it Valery Ihnatovich and Maksim Malik, another member of the special unit. One of Malik's close relatives was suddenly taken to the trial from Baranavichy (Berastse region) and interrogated. He said that on the eve of the abduction he was talking to Maksim Malik on the phone. The latter said that he was in a hurry as he was urgently going to Minsk to leave Belarus on July 7. This witness makes Malik's alibi doubtful (in their earlier witnesses other relatives stated that he had been in Barysaw in the night of July 6-7). ORT cameraman Zmitser Zavadski disappeared in the morning on July 7, on his way to the airport, where he was to have met Pavel Sharamet. Besides, according to the same witness, in summer 2000 Maksim Malik spoke about his intention to work in the Presidential security agency instead of his unit. The court also gave publicity to the earlier evidence of Ihnatovich's former friend, ex-worker of special police forces Anatol Kabzar where he described Ihnatovich's crimes and intentions. For instance, he reported

Ihnatovich’s journey to the Russian city of Bryansk together with Aliaksandr Liavonenka, who at that time worked in the Presidential security agency (then he was dismissed and now serves in Almaz). In Bryansk they blackmailed a Russian businessman attempting to extort a large sum of money.

On 11 February we learned that it'd been 19 days since the family and friends saw the 24 year old Yury Korban, Chairperson of Vitsebsk Center of Civic Initiatives Kontur. Yury disappeared in the night of 20 January. On his way home he called his mother and said he would be home very soon. But he came home neither that evening, nor the next day. In several days he called his mother and friends and said in a very strange voice that he was OK and would come back soon. After that more than a week passed, and there is no more information from or about him. Yury's mother applied to the police.

On 13 February friends and colleagues of Yury Korban organized a press conference about his disappearance. Yury Korban was the leader of Vitsebsk Center of Youth Initiatives Contour. Ales Bialiatski, Chairperson of Human Rights Center Viasna, stated: “Kontur is quite active in the non-political electoral campaign. They helped to organize Independent Monitoring in Vitsebsk. Obviously, we should demand active reaction from the police. Yuras’s mother applied to the police long ago, and we still haven’t noticed that they started searching for Yury and investigating the case”. Bialiatski believed Minsk police and Committee for Financial Investigation would search for Korban as well. Recently, the Committee for Financial Investigation initiated a criminal case against the Vitsebsk Center of Youth Initiatives which was headed by Yury Korban. They accused him of rendering financial support to the non-governmental organizations of the Vitsebsk region.

On 13 February Public Prosecutor Fiodar Shedaw stated that the culpability of Ihnatovich and his gang was completely proved in court. The charges of the abduction of the ORT cameraman Zavadski, assassination of the families of the Agayevs and the Nasibovs in Minsk, Yasko in Barysaw and Kotaw in Maryina Horka, and other crimes including racketeering and armed robbery, were considered as proved. Thus, referring to Article No. 139 of the Criminal Code, the public prosecutor asks the court to sentence Valery Ihnatovich, Maksim Malik, Siarhei Savushkin and Aliaksei Huz to the capital punishment that is stipulated by this article. The advocate Siarhei Tsurko who defended the interests of Zmitser Zavadski’s wife, Sviatlana, expressed his disagreement with the prosecutor’s opinion of Ihnatovich and his accomplice Malik being behind Zavadski’s abduction. Siarhei Tsurko considered that their guilt was not proved, and insisted on continuation of the investigation and search for Zavadski. The advocate of Zavadski’s mother, Ihar Aksionchyk, made a statement for journalists. He has made several resolute

statements about the public prosecutor’s office leadership. Aksionchyk called the head of the public prosecutor’s office Viktar Sheiman the main suspect in the case of Zavadski, and even said that it was Lukashenka who had ordered to stop investigation into this case. Aksionchyk said that Ihnatovich and his accomplices were guilty, but the real authors of this crime were not named at the trial.

On the same day the public prosecutor’s office responded harshly to the words of the advocate. The national public prosecutor’s office’s press secretary called Aksionchyk’s allegations “slanderous” and said that the “reaction will be harsh, but exclusively lawful”.

On 14 March Minsk Regional Court announced the verdict in the case of the "Ihnatovich gang". The gang was charged with 7 crimes, including the abduction of the ORT cameraman Zmitser Zavadski in July 2000. It was this charge which drew great public attention, both within the country and abroad, to the hearings. Former officers of Almaz Special-Assignment Police Force Valery Ihnatovich and Maksim Malik were found guilty of abducting Zavadski. The court found them guilty, but the family of Zmitser Zavadski – his mother and wife – doubt the fact that Ihnatovich and Malik are the people to blame for Zmitser's disappearance. They consider the court verdict an attempt to report to the society that justice has been restored and the criminals have been punished. Lawyer Siarhei Tsurko, who appeared for the victim's wife Sviatlana Zavadskaya, also doubts Ihnatovich and Malik’s implication in the abduction of the ORT cameraman. He expressed his doubt during his oral statement. He stated: "The evidence given in court does not clearly imply Ihnatovich and Malik’s guilt. Their guilt is not clear. Absolutely every fact presented raises doubts. These doubts are based not only on violations (of the Criminal Code of Practice-ed.), but also on quite contradictory and confusing testimonies both during the investigation and in court… It seems to me, the main question for Sviatlana Zavadskaya – what happened to her husband, the father of her son, where is he now? – is still left unclear. I think the court did not manage to find an answer to this question. I cannot accept the prosecution story, it is not convincing enough with the facts we have". The lawyer drew such conclusions having analyzed the facts in the case of Zavadski’s abduction, which were presented during the trial. At the same time Mr. Tsurko remarked that he had no opportunity to analyze all the case facts. He was (illegally, he thinks) deprived of the right to study the case materials from the closed volumes of the investigation materials – he was not admitted to the State secret.

On 25 March Volha Zavadskaya (mother of ORT cameraman Zmitser Zavadski), his wife Sviatlana Zavadskaya and Sviatlana’s lawyer Siarhei Tsurko filed a complain with the Supreme Court against the verdict of Minsk Regional Court. Siarhei Tsurko said: “We are

not satisfied with the verdict of Minsk Regional Court, as it has found Ihnatovich and Malik guilty of abducting Zmitser Zavadski in spite of the divergence and insufficiency of the evidence. The investigators grossly violated the formal procedures while obtaining the evidence that serves as the ground for the verdict. The major question that is still there is their implication in Zmitser Zavadski's disappearance. We demand the closure of the case against Ihnatovich and Malik on the episode concerning Zavadski because of lack of evidentiary support. If it happens, the investigation will continue. It is not enough knowing about the abduction, we need to know what followed it. At present, we have no answer to the main question – where is Zmitser Zavadski."

On 7 May 3 years have passed since ex-Minister of Internal Affairs Yury Zakharanka disappeared. On that day The Chain of Concerned People action took place in the center of Minsk. Dozens participated. They held portraits of the missing Viktar Hanchar, Anatol Krasowski, Zmitser Zavadski, Henadz Karpenka (died in strange circumstances), and, obviously, Yury Zakharanka. Among the people, who came to express their protest against the authorities' inaction, there were well-known politicians, journalists, and human rights activists: Aliaxandr Dabravolski, Yury Khadyka, Mikhail Chyhir, Valery Shchukin, and others.

On 7 May similar "Chains of Concerned People" actions took place in other cities of Belarus. Activists of UCP and BSDP (Narodnaya Hramada) carried out the action The Chain of Concerned People in Homel. Anatol Paplawny, Chairperson of Homel regional branch of Human Rights Center Viasna, was distributing the newsletter The Right to Freedom during the action. Tsentralny borough police chief Ivan Smolikaw detained Paplawny and took him to the police station. The police made Paplawny write an explanation note and seized all the copies of the newsletter (35 copies).

On 7 May The Chain of Concerned People took place in Mahilew. A dozen of activists of United Civic Party and youth movement ZUBR stood in a chain downtown Mahilew for about 30 minutes. They had portraits of Yury Zakharanka in their hands. The action went off uninterrupted.

On 7 May in the center of Berastse, Berastse and Pruzhany citizens marked the tragic date with an action The Chain of Concerned People. They held portraits of Zakharanka and other missing people: Hanchar, Krasowski and Zavadski. Passers-by demonstrated a great interest in the action, approaching the activists just to talk and to express their moral support for the action participants. One of them used lipstick to write "THANK YOU" on the asphalt in front of the "Chain…". The action went without any incidents or detentions.

Another action within the "We Want the Truth!" campaign took place in Minsk on 17 May. Dozens of citizens took to Minsk streets with portraits of the missing people.

On 20 May the wives and mothers of the missing politicians held a press conference in the office of United Civic Party. The press conference was dedicated to the results of their meeting with head of PACE Working Group Uta Zapf.

On 23 May Sviatlana Zavadskaya, wife of the ORT cameraman Zmitser Zavadski stated that some unknown people in plain clothes watched the house in Serdzich Street in Minsk where she lived. She found it out from neighbors, who noticed two cars standing near the house from 7.30 a.m. to 3 p.m. on May 20. The cars stood in different ends of the yards, blocking it. There was one more car standing in the yard at that time: it belonged to S. Zavadskaya. According to the neighbors, the people from these cars walked in the yards and spoke to one another. One of the neighbors said one of them had holster under his jacket.

In May mother of Yury Korban, missing since 19 January 2002, is concerned over police unwillingness to investigate his disappearance. She filed a complaint to Belarusian Prosecutor General Viktar Sheiman about the break in the investigation. She complained that Vitsebsk Chyhunachny Police Board instituted a search case, and Chyhunachny Borough Prosecutor's Office initiated a criminal case on Yury's disappearance, but neither of them received proper attention from the investigation bodies. They appointed a case investigator only on 9 April and suspended the search on 12 April because of the end of the 2-months term. After the mother's demands, Chunachny Borough Prosecutor re-instituted the case until 26 May. The woman addressed Prosecutor General, urging him to supervise the investigation and to examine the search and the criminal cases about Korban's disappearance. She also urged Sheiman to check if suspension of the search case was legal.

On 7 July about 150 people took part in the action "Chain of Concerned People" on the main square of Minsk. The action marked two years since disappearance of the ORT cameraman Zmitser Zavadski. Wives of other missing well-known people – Zinaida Hanchar (wife of politician Viktar Hanchar) and Iryna Krasowskaya (wife of businessman Anatol Krasowski) took part in the "Chain" as well. The action lasted for about an hour. At the end of the action mother of Zmitser Zavadski, Volha Ryhorawna, came up to every action participant and thanked everyone, who had come to support their family. Though the criminal case on Zavadski's disappearance was closed and the persons "guilty" were punished, what had happened to Yury Zavadski is still not known…

On 8 June in Horadnia people came to the center of the city holding portraits of Zmitser Zavadski, ORT operator who had disappeared on July 7, 2000.

The police had detained 10 people:

1. Viktar Babkin
2. Uladzimir Chyrvonenka
3. Iryna Danilowskaya
4. Yury Istomin
5. Zmitser Ivanowski
6. Viktar Kakareka
7. Ihar Korykaw
8. Sviatlana Nekh
9. Aleh Salonikaw
10. Mikola Voran

On 10 July Judge of Horadnia Leninski Borough Court L. Bawsuk acquitted the member of the United Civil Party Viktar Kakareka and BPF member Mikalai Voran, closed the case of Yury Korykaw and returned the report on his detention to Leninski Borough Board of Internal Affairs for correction. Head of the local "UCP Youth" Uladzimir Chyrvonenka was fined 200 000 Belarusian rubles.

On 16 July the Supreme Court considered the cassation filed by the Zavadskis, on the verdict to ex-officers of Almaz Special-Assignment Police Force Valery Ihnatovich and Maksim Malik. Uladzimir Ptashnik, deputy chair of the Supreme Court, held the proceedings. In the beginning all comers, including about 50 journalists, were let into the court room. However, prosecutor Dudarava immediately entered a motion to close the proceedings for public. The arguments were the same as during the first hearing of the case: the defendants were the ex-officers of special services. According to the prosecution, closed trial is necessary for keeping State secrets and for security purposes. The defendant did not appear in court. Sviatlana Zavadskaya's lawyer Ihar Aksionchyk appeared in court. After his sharp statements in the media about relation of the top state officials to abduction of Zavadski, Ihar Aksionchyk suddenly disappeared in March 2002 and hid in Russia. Aksionchyk was not allowed to participate in the proceedings because of criminal charges laid against him and exclusion from the advocatory board after he had disappeared. The court did not agree to the arguments of the Zavadskis and of the families of Ihnatovich, Malik, Huz and Savushkin, who had been found guilty of abducting Zavadski. The lawyers insisted that the evidence had been collected with violation of legal procedures. The verdict of guilt couldn't be based on such evidence. However, Deputy

Chair of the Supreme Court Uladzimir Ptashnik announced the first verdict would not be reviewed. The verdict remains in force. The Zavadskis could appeal to the highest court: to address the chair of the Supreme Court with a supervisory complaint.

On 19 July, on the eve of "Slavianski Bazaar" festival Vitsebsk UCP branch held the action "We Want the Truth!". They held portraits of the missing Viktar Hanchar. Anatol Krasowski, Yury Zakharanka, Zmitser Zavadski, the journalists of the independent newspaper Pahonia Mikola Markevich and Pavel Mazheika, sentenced to terms of limited freedom, the journalist Anatol Maisenia who died in strange circumstances, Aliaksandr Chyhir who was transferred to the highest security prison in Ivatsevichy. Policemen from Vitsebsk Kastrychnitski Borough Board of Internal Affairs made repeated attempts to detain the action participants and finally started to film them with a photo and video camera.

On 7 August the female activist of Maladaya Hramada Sviatlana Nekh was sentenced to 10 days in jail. She was accused of having taken part in the unauthorized action The Chain of Concerned People in Horadnia on 8 July. Her guilt was holding of Zmitsier Zavadski's portrait. The sentence made by Judge of Horadnia Leninski Borough Court Natallia Kozel had no precedents on two aspects. Firstly, she was the first to consider The Chain of Concerned People as a picket. Secondly, Sviatlana Nekh was the only of the 10 detainees who received such a sentence. The case consideration was delayed for a month because the defendant refused to come there. She explained that she couldn't come to the place where she could be beaten (on 4 July a policeman hit her on the head with his fist while she was trying to get into the court in order to be present at the trial over the Pahonia newspaper). The prosecutor office's check-up didn't find any violations in the policeman's actions. The trial lasted for two days. Head of the public order department of Horadnia Lieninski BBIA Aliaxandr Khilko acted as the prosecution witness. The judge explained her violent verdict with the fact that the defendant had already participated in unauthorized actions for many times.

On 9 September at the trial to recognize Yury Zakharanka dead Judge Viktar Bialianin took the decision which the trial participants called outrageous. The judge ruled to stop the trial without satisfying the Zakharankas' petition. He referred to the fact that the investigation of the criminal case about disappearance of Zakhraranka, led by the prosecutor's office, was still going on. The Zakharankas' representative Aleh Volchak spoke against it. He said that there were no cases in history when similar trials were stopped. The representative of the prosecutor's office Sviatlana Nikalayeva was of the opinion that the petition was to be satisfied. She proved that the case investigation by

the prosecutor's office and the recognition of Zakharanka dead had no relation to each other. However, her arguments didn't convince the judge. According to his decision, the trial could continue only after 17 October, the end of the three-year term of the case investigation. Aleh Volchak expressed his confidence in the wish of Zakharanka's relatives to appeal against the judge's ruling, but remarked that the city judges would hardly judge otherwise.

On 16 September the police detained Heorhi Salamianik, Mikhail Tarasiuk and Zmitser Filipovich outside the building of Presidential Administration in Minsk. The reason was that the people came there with the poster: "Three years have passed. Lukashenka, where are Hanchar and Krasowski?"

19 September brought the end of the 10-days' arrest of Horadnia artist, member of the coalitional democratic movement Horadnia Choice Zmitser Ivanowski detained for participation in The Chain of Concerned People on 8 July. Ivanowski was on hunger-strike during all these ten days. He said that he wasn't feeling bad, but didn't advise anybody to keep hungering in jail because of the terrible conditions there.

On 26 September at the regular session of the Parliamentary Assembly of the Council of Europe in Strasburg the Juridical Committee of the Council set up a special Commission to investigate the disappearances of the Belarusian politicians and journalists. As it had been expected, the well-known Russian human rights activists and deputy of the Russian Parliament Sergey Kovalyov was elected chairman of the Commission and Mr. McNamara –Vice-Chairman. Secretary General of the Council of Europe Walter Schwimmer received a delegation of the Belarusian opposition. There weren't any officials of the Belarusian House of Representatives in Strasburg. 10 Parliament members from Germany, Italy, Great Britain, Belgium, Spain, Cyprus, Turkey, Ukraine, Lithuania, Latvia and Russia joined the Commission. The Tuesday first sitting of the Commission discussed different procedural matters, the following sittings of the Commission will consider the mandate and the powers. Being a realist, Sergey Kovalyov, the Commission Chairman doubted that the Commission would find those behind these disappearances. However, he hoped that the Commission would manage to obtain substantial material evidence, showing the reaction of the Belarusian authorities to such cases, the methods and the effectiveness of the disappearances investigation.

On 30 September Minsk City Court confirmed the decision of Minsk Kastrychnitski borough court concerning recognizing the ex-minister of Internal Affairs Yury Zakharanka dead. Yury Zakharanka disappeared on 7 May 1999. Aleh Volchak who represents interests of Zakharanka's family, asked to consider the date of Zakharanka's

disappearance as the date of his death. Prosecutor Svialana Nikalaieva said that there was no evidence of Zakharanka's disappearance on 7 May.

In the beginning of October the House of Representatives of the National Assembly supported Representative Valery Fralow's letter of inquiry to Prosecutor General Viktar Sheiman. Fifty six representatives supported the inquiry. Fralow inquired about the investigation into the disappearance of Yury Zakharanka, Viktar Hanchar, Anatol Krasowski, and Zmitser Zavadski. The inquiry containd a number of questions: who signed the document ordering the detention of SOBR head Zmitser Pawlichenka, and why he was released; why Dzmitry Zavadski's whereabouts haven't been established to date, although the trial over the group allegedly behind the abduction of him is over; who is investigating the case now, etc.

The representatives expect to receive an answer on 24 October during the hearing about the legal situation in Belarus, which will supposedly be attended by Sheiman.

On 3 October the leader of the United Civil Party Anatol Liabedzka received a subpoena to come to Minsk City Prosecutor's Office. The investigator Chumachenka wanted to see him as a witness. Liabedzka said their talk was about the investigation into Hanchar's disappearance. The UCP leader hoped the prosecutor's office would also investigate the political version of the abduction.

On 24 October the Chamber of Representatives and the Soviet of the Republic held a joint hearing devoted to maintaining law and order in the Republic of Belarus. At this hearing, Prosecutor General Viktar Sheiman was to have answered the deputies' request concerning the orders about arrest and release of Pawlichenka, the case of the disappeared journalist Zmitsier Zavadski. However, neither Sheiman, nor other law enforcement agencies, responsible for maintaining law and order in the country, were present at the hearing. Mr. Bikinin explained this fact by the necessity of urgent reaction to the tragic events in Moscow (Nord-Ost capture). Deputy Fralow proposed to vote on suspending the hearing because of the absence of the main rapporteurs, but this wasn't done either. Deputy Kuchynski pointed out that in the times of the Supreme Soviet of the 12th Convocation it was impossible to imagine the executive power showing such disregard for the legislature. Though, the present Chamber of Representatives silently swallowed it.

On 19 November on Zinaida Hanchar's solicitation the consideration of the case about confessing Viktar Hanchar missing was started. At the trial Zinaida Hanchar wanted to find out whether the investigation procedure corresponded to the law.

On 20 November Judge of Minsk Frunzenski Borough Court Tatsiana Kulakova satisfied Iryna Krasowskaia's suit about recognizing her husband, businessman Anatol Krasowski to be missing. Anatol Krasowski disappeared on September 16, 1999 together with Viktar Hanchar. The investigation of this case has lasted for three years. One of the positive aspects of the trial in I. Krasowskaya's opinion is that copies of Alkayev and Lapatsik's reports were attached to the case, copies of certain expert conclusions (including the one concerning the pistol that could be used to murder Anatol Krasowski). Before this, the court didn't want to recognize these documents. Then Judge Kulakova decided to attach them to the case.

On 25 November, after numerous reminders in the independent mass media about the terms for official answers to deputy inquiries and appeal of wife of the missing Viktar Hanchar Zinaida Hanchar to the Chamber of Representatives Prosecutor General Viktar Sheiman finally gave answer to General Valery Fralow. The deputy inquiry of Mr. Fralow concerned the arrest and sudden release of the notorious lieutenant-colonel Pawlichenka, investigation into the well-known mysterious disappearances in Belarus… We should remind that on 22 November 2000 the commandant of the special quick deployment subunit of military unit No. 3214, vice-colonel Zmitser Pawlichenka was detained on the order of Uladzimir Matskevich who at that time was Head of Belarusian KGB. On the following day Pawlichenka was released, nobody knows on whose order. After this incident Aliaxandr Lukashenka immediately fired KGB chairman Uladzimir Matskevich and prosecutor general Aleh Bazhelka and a number of other high-level officials. There were some rumors that President made it in a transport of rage as a result of antagonism, incoordination and misunderstanding in the power structures. Then Lukashenka started to publicly support Pawlichenka, watched the public shows of the quick deployment subunit and complimented the devoted lieutenant-colonel in front of TV-cameras… In his speech to the Chamber of Representatives deputy Valery Fralow proposed to hold Parliamentary hearings concerning investigation into disappearances of Belarusian politicians with participation of ministers and other top officials. His colleagues didn't support him. Then he started to submit deputy inquiries to appropriate bodies. He tried to make Viktar Sheiman answer whether the arrest of Pawlichenka had any connection with cases of the missing people and how investigation into these disappearances was going on. The prosecutor kept a long pause without any answer. Finally, on 25 November the deputy received Sheiman's answer. There Prosecutor General doesn't refuse the fact of "preventive detention" of the commandant of the quick deployment subunit of military union No. 3214 Pawlichenka on 22 November 2000 but says that "it has no connection to disappearances of the well-known opposition politicians. Permission for the detention was issued by KGB Chairman U. Matskevich."

The alleged reason was that "the lieutenant-colonel allegedly used force towards citizen Hrachow. On 23 November he was released because of illegal nature of his detention". It's worth mentioning that at that time the ex-worker of KGB Aliaxandr Hrachow worked at the control-revision commission of the Ministry of Culture and investigated financial violations including the hyped-up case of circus director bribery. Unknown people abducted Mr. Hrachow and took him to forest. There they beat and tortured him, even wanted to kill. Only his certificate of Afghan war veteran saved him. Among his abductors was another participant of the war who had mercy to his colleague. Allegedly, then a suspicion aroused that Paulichenka's subordinates and even Pawlichenka himself were involved in the abduction of Hrachow. It is difficult to say whether it is really so or not, but Paulichenka spent a day in jail… As regards investigation into disappearances of Zakhraranka, Hanchar, Krasowski and Zavadski – Sheiman didn't give any concrete new information in his answer. He keeps on saying that as it ensued from the evidence collected Zakharanka, Hanchar and Krasowski were abducted by unknown persons. He again confirmed the known information that according to the expert conclusion the blood found in the place of disappearance of Hanchar and Krasowski on the following day could belong to Hanchar with the probability of 99,6%. The rest of the letter consisted of the duty phrases, such as "the investigation is going on". However, in spite of all efforts of investigators, "generals swearing by their honor and promising to find the ex-colleague Zakharanka" and personal control of President, it remains unknown what happened to Yury Zakharanka, Viktar Hanchar, Anatol Krasowski and Zmitser Zavadski. The prosecutor's office has prolonged terms of investigation for three years already and there are still no results in any of the investigated cases…

On 5 December Minsk Savetski Borough Court recognized Viktar Hanchar missing since 17 September 1999. Two weeks ago Frunzenski Borough Court recognized missing Anatol Krasowski, who disappeared together with Viktar Hanchar.

On 10 December, the Day of the Universal Declaration of Human Rights, about 500 people gathered at Kastrychnitskaya Square. They wanted to support the families of the missing political and public activists: Yury Zakharanka, Viktar Hanchar, Anatol Krasowski, and Zmitser Zavadski. The action participants held portraits of the missing people, Henadz Karpenka, who died in unclear circumstances, and of imprisoned journalists Pavel Mazheika, Mikola Markevich and Viktar Ivashkevich, convicted for their professional activities. Leaders of practically all opposition parties, non-governmental organizations, well-known lawyers and human rights activists took part in the action. Then the action participants headed from Kastrychnitskaya Square to the buildings of the KGB, the Ministry of Internal Affairs, and Office of Prosecutor General. The wives of the missing

Viktar Hanchar, Anatol Krasowski, and Zmitser Zavadski handed their petitions to the representatives of the above mentioned bodies. The petitions contained demands to ascertain what had happened to the missing people and answer the questions: where they are now and who is behind their disappearance. None of the heads of the KGB or the MIA came to the people. However, the people managed to pass the petition to Prosecutor General Viktar Sheiman, hoping it would get to the addressee. Then the action participant returned to Kastrychnitskaya Square. The policemen did not disturb them, although "cameramen in civil clothes" worked very intensively, filming the action participants. The action ended with police officers serving notice to Ales Bialiatski, only because he had explained the sense of the event in the very beginning of the action.

DEATH PENALTY – VIOLATION OF THE RIGHT TO LIFE

At the meeting with journalists on 11 February Chairman of the Supreme Court of Belarus Valiantsin Sukala stated that in 2001 7 people were sentenced to death and eleven more were sentenced to life imprisonment. Five more people are awaiting the sentence.

On 11 March the CU Secretary General Walter Schwimmer urged Belarus to declare moratorium on death penalty. In his appeal he stated incompatibility of death penalty with all acceptable standards of human rights. He urged not to sentence to death the four gangsters who were accused of a number of crimes, including abduction of Zmitser Zavadski.

On 30 May the House of Representatives of the National Assembly held hearings on death penalty moratorium. Representatives of Belarusian human rights organizations, including Viasna, were invited to the hearings. Valery Lipkin, Chairperson of Permanent Committee on Human Rights, Ethnic Relations and Mass Media, talked about the history of death penalty, various aspects of its application and annulment, summing up in the end: "This problem is strictly legal. Such a decision, in its turn, will allow radical measures to make more efficient the public and individual defense as well as the work of law-enforcement agencies. It doesn't really matter who makes the decision – if it is a political decision of the country's leadership, or if people adopt it through a referendum. I believe death penalty will be banned in the near future". Uladzimir Kowchur, Head of the Committee on Penalties Execution at the Ministry of Internal Affairs, presented his report “Juridical, psychological and educational problems of working with life-sentenced people". He included there some statistics on people under life sentence:

Age: 36 people (45%) –18-30 years old, 21 people (27%) – 31-40 years, 13 people (17%) – 41-50 years, 7 people are between 50-60, and 1 person – over 60 years.

Educational background: 1 person has higher education, 17% -- specialized secondary education, 61% -- secondary education, and 20% -- basic (incomplete secondary) education.

Place of residence: Minsk and Minsk region – 27 people; Homel and Homel region – 16 people; Horadnia and Horadnia region – 9 people; Berastse and Berastse region – 2 people; Vitsebsk and Vitsebsk region – 9 people; Mahilew and Mahilew region – 9 people; uncertain place of residence – 2 people; and 1 Russian resident (Bryansk region).

PERSECUTION OF ORGANIZERS AND PARTICIPANTS OF MASS PROTEST ACTIONS

On 5 January Judge of Berastse Leninski borough court Aleh Miraniuk ruled to administratively punish the 11 participants of the Chain of Concerned People, detained on December 9, 2001. The members of Berastse branch of PA HRC Viasna Uladzimir Malei and Henadz Samoilenka were found guilty of participation in an unauthorized mass action (the first part of Article No. 167.1 of the Code of administrative violations) and disobedience to police demands (Article No. 166) and sentenced to 15 days of jail. Other nine detainees were charged with Article No. 167.1 alone and were fined 20 minimal wages each.

1. Siarhei Aleksievich
2. Raisa Antaniuk
3. Vasil Barbolin
4. Alzhbeta Karpiuk
5. Mikalai Kazimirchyk
6. Siarhei Kazlow
7. Maryia Klimovich
8. Mikhail Mikalayuk
9. Palina Panasiuk.

On 22 January the police detained Uladzimir Pleshchanka, the leader of Vitsebsk Christian Democratic Party BPF organization, in the center of the city. At Vitsebsk Chyhunachny Borough Board of Internal Affairs the policemen drew up reports, charging him with organization and holding of an unauthorized pocket. This was a result of the week-long reflection of the police authorities on the new Pleshchanka's poster with Z. Pazniak's words: "…we need a new Presidential election under protection of international organizations…".

On 13 February at 4 p.m. at Freedom Square in Minsk people started a picket against the impoverishment of people. The picket participants held the posters: "Where is the promised $100? "The current regime guarantees poverty and extinction of our people", "Let him build market socialism on the Moon", etc. The picket lasted for 30 minutes. The police detained the organizers of the picket: Valery Pawlotski, Uladzislaw Tokaraw, Liavon Pankratsenka, Valery Vysotski and Siarhei Shapira.

On 15 March Belarusian Social Democratic Party (Narodnaya Hramada) organized a march, dedicated to the Day of Constitution of the Republic of Belarus. The city

authorities banned the march to be held where it had been planned. Minsk City Executive Committee permitted only a meeting on Banhalor Square. The action organizers and participants did not obey the decision. They gathered at 5 p.m. on Yakub Kolas Square in the center of Minsk. About 500 people with white-red-white and BSDP flags marched along Kharuzhaya Street to Paryskay Kamuny Square, where a meeting was supposed to take place. From the very beginning great forces of police were concentrated around the place of gathering. The majority of policemen were in civil clothes. Police cameramen recorded the event. Policemen, armed with fables and truncheons, overlapped the way in the intersection of Kuibyshaw and Varvashenia Streets. The demonstrators were made to leave the carriage-way for the sidewalk. The confrontation ended up with the dispersal of the demonstration. Leader of Belarusian Social Democratic Party Mikalai Statkevich was detained 3 hours later in the party office.

On 18 March Minsk Savetski Borough Court of Minsk heard the case of Mikalai Statkevich. Statkevich was charged with organizing an unauthorized procession on 15 March under Article No. 167.3 part 2 of the Code of Administrative Violations. The court found Statkevich guilty of violating administrative legislation and punished the leader of Social Democratic Party with 10 days of arrest.

On 24 March the celebration of the Freedom Day took place on Yanka Kupala square in Minsk. At 12 a.m. about 1 000 people with flowers, white-red-white flags and strips gathered in Kupala Square. After putting flowers to the monument and singing songs, people went toward Yakub Kolas square, but the special police forces got in their way. Some police official demanded the leader of the Belarusian People's Front Vintsuk Viachorka, who headed the column, to tell the demonstrators to fold the flags. Otherwise, the police would consider the column as an unauthorized procession. The police took the detainees to Minsk Tsentralny and Savetski BBIAs. Among the latter ones there were:

1. Liavon Achapowski
2. Aksana Akhremchyk
3. Zmitser Bandarenka
4. Siarhei Biazdzenezhny
5. Zmitser Dashkevich
6. Tsimafei Dranchuk
7. Valery Herasimaw
8. Liudmila Hraznova
9. Siarhei Hvozdzikaw

10. Mikhail Hvozdzew
11. Uladzislaw Ihnatovich
12. Zmitser Karpenka
13. Viktar Kaveshnikaw
14. Natallia Kiiko
15. Ryhor Kiiko
16. Piatro Kshyk
17. Mikola Lavitski
18. Andrei Liakhovich
19. Siarhei Lysakow
20. Elia Nekrashevich
21. Dzianis Nosaw
22. Novik
23. Yury Palchewski
24. Kiryla Papkow
25. Arkadz Piartsowski
26. Yawhenia Pikul
27. Anatol Prasalovich
28. Piatro Rusaw
29. Liavon Sadowski
30. Uladzislaw Sawka (13 years old)
31. Zmitser Sawka
32. Pavel Seviarynets
33. Valery Shchukin
34. Iryna Shershan
35. Aliaksandr Shevialenka
36. Hanna Siwchyk
37. Viachaslaw Siwchyk
38. Aliaksei Smolski
39. Andrei Tawstyka
40. Siarhei Tryfanaw
41. Valiantsina Vayushyna
42. Hanna Yahorava
43. Andrei Yahorau
44. Tatsiana Yalovaya
45. Yarmolenka
46. Edvard Zaikowski

47. Yury Ziankovich.

Actions in honor of the 84th anniversary of the Declaration of Belarusian People's Republic took place in other Belarusian towns and cities as well.

On 24 March more than 500 people participated in the unauthorized meeting in Horadnia. The police detained 22 people, including vice-Head of the BPF party Yury Khadyka, ex-Head of Agrarian party Iawhien Luhin and two journalists – a correspondent of the newspaper Glos nad Niemnam Andrei Pachobut and a member of the editorial staff of the liquidated newspaper Pahonia Alesia Sidliarevich. They also beat Vadzim Saranchukow, while detaining him. The Horadnia activist of PA HRC Viasna Iryna Danilowskaya said: "People wanted to come to the Archeological museum. We only wanted to lay down flowers, but the police cordon let some people through. Their authorities pointed at the people to be detained. It was all happening in Savetskaya Street, the city center. Participants of the action saw the police beating five youngsters at a street corner. They laid the detainees down on the ground and kicked them with feet. About 40 people managed to get to the New Castle and lay down flowers to the memorial board to the participants of Tadevush Kastsiushka rebellion."

Among the detainees were:

1. Edvard Dzmuhowski
2. Mikola Hom
3. Zmitser Ivanowski
4. Yury Khadyka
5. Aliaksei Kuchar
6. Ihar Lapekha
7. Mikola Lemianowski (was charged with organization of the action)
8. Yawhen Luhin
9. Siarhei Malchyk
10. Sviatlana Nekh
11. Andrei Pachobut
12. Mikhail Patreba
13. Raman Ramashka
14. Vadzim Saranchukow (was charged with organization of the action)
15. Viktar Sazonaw
16. Yawhen Shabunka
17. Andrei Shustowski
18. Alena Sidliarevich

19. Rehina Stankute
20. Aleh Zavadski

On 25 March in Maladechna representatives of democratic parties and public organizations laid down flowers to the K. Ahinski monument outside the musical college and to the memorial sign "To those who suffered for freedom and independence of Belarus" in the town center. Nobody interfered with laying down the flowers to K. Ahinski, about 100 people participated in the event. This action was peaceful. As for putting flowers to the memorial board, it was different. The police with an unknown major and major-lieutenant Koshal at the head interfered with this action. As a result the policemen detained ("for a talk", according to their words) Edvard Balanchuk, Aliaksandr Kaputski, Siarhei Boskin and took away the legally registered flag of the Board of Horadnia BPF Adradzhiennie.

Minsk Tsentralny Borough Court considered the administrative cases against the participants of the Freedom Day Celebration for a week. Judges Tatsiana Pawliuchuk and Natallia Vaitsiakhovich reached the following verdicts:

1. Liavon Achapowski – fined 150 minimal wages;
2. Aksana Akhremchyk – warned;
3. Zmitser Bandarenka – fined 20 minimal wages;
4. Siarhei Barysaw – warned;
5. Siarhei Biazdzenezhny – warned;
6. Viktar Dashkevich – 10 days of jail;
7. Tsimafei Dranchuk – 10 days of jail;
8. Valery Herasimaw – fined 20 minimal wages;
9. Andrei Humin – warned;
10. Mikola Ihnatovich – warned;
11. Uladzislaw Ihnatovich – warned;
12. Zmitser Karpenka –
13. Viktar Kaveshnikaw – 10 days of jail;
14. Mikola Lavitski – warned;
15. Maksim Lebiadzew – warned;
16. Andrei Liakhovich – warned;
17. Yury Palchewski – warned;
18. Kiryl Papkow – warned;
19. Arkadz Piartsowski – warned;
20. Platonaw – warned;
21. Alena Rashetnikava – warned;

22. Piatro Rusaw – fined 20 minimal wages;
23. Liavon Sadowski – fined 20 minimal wages;
24. Pavel Seviarynets – 15 days of jail;
25. Iryna Shershen – warned;
26. Hanna Siwchyk – warned;
27. Viachaslaw Siwchyk – 15 days of jail;
28. Aliaksei Smolski – fined 20 wages;
29. Aliaksandr Shevialenka – warned;
30. Zmitser Tarulis – fined 20 minimal wages;
31. Andrei Tawstyka – warned;
32. Siarhei Tryfanaw – warned;
33. Edvard Zaikowski – warned.

Horadnia Leninski Borough Court considered the administrative cases against the participants of the Freedom Day action of 24 March for a week and passed the following verdicts:

1. Maksim Lebiadzew – warned;
2. Mikola Lemiashewski – fined 150 minimal salaries (1 500 000 rubles);
3. Siarhei Malchyk – activist of PA HRC "Viasna" – 10 days of jail. Went on hunger-strike.
4. Sviatlana Nekh – fined 50 minimal salaries (500 000 rubles);
5. Mikhail Patreba – warned;
6. Raman Ramashka – warned;
7. Vadzim Saranchukow – 10 days of jail (the judge passed the verdict in his absence).
8. Viktar Sazonaw – fined 20 minimal salaries (200 000 rubles).

On 29 March Minsk Tsentralny Borough Court continued trials over participants of Freedom Day Celebration. Hanna Siwchyk and Edward Zaikowski were warned.

On 19 April the march of protest "We Cannot Go on Living Like This!" was held to draw public attention to the fact that Aliaxandr Lukashenka had not fulfilled his pre-election promises. The march was organized by the film director Yury Khashchavatski, human rights activist, journalist Valery Shchukin, coordinator of Charter'97 Zmitser Bandarenka, and ZUBR activist Tsimafei Dranchuk. The action started at 6 p.m. in Yakub Kolas Square. The procession managed to get to Skaryna Avenue and Varvashenia Street crossing, where they were blocked by Special Forces policemen. The procession quickly and unexpectedly turned and went back. At this moment more Special Forces police

buses appeared. The policemen got off the buses and started seizing the march participants. Some of the demonstrators just sat down on the road and the police started battering them and dragging them to the buses. Some people were also detained near the Physical Education Academy (on the other side of Yakub Kolas Square). The police "mopped up" the square forcing all the people away. Human Rights Activist Valery Shchukin was heavily beaten and taken to hospital. Yalavitski was taken to hospital with cerebral concussion. An ambulance was called to Savetski Borough Board of Internal Affairs where all the detained had been placed. In one of the buses the policemen kept a pregnant woman who was hit in her stomach with a truncheon, refusing to call an ambulance for quite a long time. Finally, they let her go. All the detained were taken to Savetski BBIA. The police buses and Special Forces policemen surrounded the building and did not let journalists and human rights activists come closer. Among the detainees there were:

1\. Leanid Achapowski

1\. Yawhen Afnahel

2\. Maksim Aksionaw

3\. Andrei Asmalowski

4\. Aliaksandra Andzhyewskaya

5\. Zmitser Areshka

6\. Anatol Askerka

7\. Aliaksandr Atroshchankaw

8\. Balotsina (under age)

9\. Zmitser Bandarenka (coordinator of Charter'97)

10\. Katsiaryna Baravik

11\. Zmitser Barodka

12\. Barsukow (under age)

13\. Siarhei Bokhanaw

14\. Dzianis Chykaliow

15\. Doryna (under age)

16. I. Dzehtsiarow
17. Katsiaryna Dziadko
18. Yury Fabishewski
19. Halavatski
20. Zmitser Holubew
21. Aliaksandr Hrydziushka
22. V. Idzevich
23. Uladzislaw Ihnatovich
24. Raman Karpovich
25. Zmitser Karpenka
26. Raman Kazakevich
27. Kazakow (under age)
28. Siarhei Kedyshka
29. Mikalai Khalezin (journalist)
30. Yury Khashchavatski (film director)
31. A. Kholad
32. Liubow Kuchynskaya
33. Siarhei Liadko
34. Luhawtsow
35. Zmitser Matsakowski
36. Miatselik
37. Aleh Miatselitsa
38. Kazimir Murashka
39. Osipaw (hospitalized)
40. Padzyvalaw (heavily beaten)

41. S. Penkin
42. Andrei Piatrow
43. Siarhei Rabkevich
44. Natallia Radzina (journalist)
45. Alena Rashetnikava
46. Heorhi Repin
47. Liavon Sadowski
48. Mikita Sasim
49. Mikola Savitski
50. Tsimokh Shadzievich (under age)
51. Vasil Shadzievich
52. Ya. Shumski
53. Yawhien Shvayew
54. Maksim Shyrayew
55. Aliaksei Strotski (under age)
56. Nina Trukhanenka
57. F. Tutzhyk
58. Yury Varanko
59. Varazhur (under age)
60. Yury Vasiliuk
61. Yury Vaskrasenski
62. Zmitser Vishnewski
63. Yadko (beaten, possible brain concussion)
64. Yalavitski (hospitalized with brain concussion)
65. Yamshchykow

66. A. Yashchanka

67. Aliaksandra Yasiuk

68. Maryna Yasiuk (under age)

69. V. Yatsko

70. S. Yatsko

71. Vasil Zhakaw

72. Vital Zhlobich

73. Aleh Zhlutka

On 22 April 2002 Savetski, Partyzanski and Tsentralny Borough Courts of Minsk started the trials over the participants of the action "We Cannot Go on Living Like This!" This time the courts demonstrated a new tendency: those, who demanded a lawyer, were sent back to the pre-trial detention center in Akrestsin Street. Their reasons that "there is no phone in a cell, I will not be able to contact a lawyer from the detention center" did not make any impact on the judges. This corrupt practice is more than a dangerous violation of Article No. 62 of the constitution. Practically, it means that administrative detention is not limited in time, a person, can be kept behind the bars until the trial. As a result a person is deprived of the right to defense, being unable to find an advocate, being kept in jail.

Savetski Borough Court

Aliaksandra Andrzyewskaya – 5 days of jail

Zmitser Bandarenka (one of the action organizers) – trial postponed to 23 April at 9.00

Katsiaryna Dziadko -- fined 300,000 BRB (~170 USD)

Zmitser Karpenka (Homiel) – 3 days in jail

Raman Karpovich (Salihorsk citizen) – 10 days in jail

Siarhei Kedyshka -- fined 300,000 BRB (~170 USD)

Vasil Khadnevich -- fined 200,000 BRB (~115 USD)

Mikalai Khalezin (journalist, one of the action organizers) demanded a lawyer and was sent back to the detention center. Policemen under supervision of Head of Savetski BBIA carried him from the courtroom, because he refused to "look for a lawyer from a cell of the detention center" The trial was appointed on 2 p.m. on 23 April.

Yury Khashchavatski, cinema producer, one of the action organizers – 10 days in jail

Liubow Kuchynskaya – trial postponed to 25 April at 11.00

Heorhi Lepin -- trial postponed to 23 April at 11.30

Murashka -- fined 200,000 BRB (~115 USD)

Siarhiei Penkin – fined 300,000 BRB (~170 USD)

Liavon Sadowski – the police report sent back to the police station for review and changing from Art. 167.1 part 1 to Art. 167.1 part 2.

Maksim Shyrayew – fined 250,000 BRB (~ 145 USD)

Yaraslaw Stseshyk -- trial postponed to 23 April. Policemen under supervision of the chief of Savietski borough police carried him from the courtroom, because he had laid down on the floor refusing to "look for a lawyer from a cell of the detention center"

Vital Viadzevich – 7 days in jail

Zmitser Vishnewski – 3 days in jail

Alesia Yasiuk (Barysau, the mother of 4 children) – fined 100,000 BRB (~60 USD)

Vital Zhlobich -- fined 250,000 BRB (~ 145 USD)

Tsentralny Borough Court

Yawhen Afnahel – 3 days in jail

Zmitser Barodka (Barysaw citizen) – 5 days in jail

Zmitser Holubew –5 days in jail

Aliaksandr Hrydziushka – 5 days in jail, went on hunger strike of protest.

Uladzislaw Ihnatovich -- 5 days in jail

Raman Kazakevich -- 10 days in jail

Zmitser Masakowski – fined 300,000 BRB (~170 USD)

Aleh Miatselitsa -- 5 days in jail

Andrei Piatrow – 3 days in jail

Ihar Siuld -- 5 days in jail

Viktar Suich -- 5 days in jail

Vasil Zhakaw – the trial was postponed to 23 April at 11.00 because the witnesses (policemen) did not appear in court. He was sent back to the detention center.

Aleh Zhlutka – an observer of the Human Rights Center Viasna demanded a lawyer and was sent back to the detention center. He went on hunger strike of protest.

Partyzanski Borough Court

Anatol Askerka -- 10 days in jail

Aliaxandr Atroshchankaw -- 5 days in jail

Yury Buber -- 3 days in jail

Iury Fabishewski -- 3 days in jail

Veranika Kupchanka -- 3 days in jail

Siarhei Rabkevich -- 7 days in jail

Zmitsier Tsenunin -- 3 days in jail

Aliaksei Yashchanka – 3 days in jail

Ihar Zakrewski -- 3 days in jail, went on hunger strike of protest.

Valery Shchukin (journalist, human rights activist) -- 15 days in jail. He was heavily beaten during the action. The police took him to detention center from the intensive care unit in neuro-surgery department of the hospital. According to Valery Shchukin, they took him "practically off the dropper".

On 22 April Human Rights Center Viasna applied to the Supreme Court and to the Constitutional Courts of Belarus concerning the legality of the judges' decisions to send the people, detained during the action of 19 April back to the detention center after their

solicitations for advocatory services. The inquiry stated: "While observing trials of participants of the unauthorized procession of 19 April 2002 by Savetski, Tsentralny and Partyzanski Borough Courts members of the Public Association Human Rights Center Viasna noticed a new tendency in usage of the third part of Article No. 242 of the Code of Administrative Infringements (CAI), connected with the wrong interpretation of the administrative detention terms.

The participants of the unauthorized procession, detained by the police on 19 April 2002, were kept in the detention center of Minsk City Executive Committee Internal Affairs Board till 22 April 2002. It means that they were detained till trial in accordance with the third part of Article No. 242 of the CAI.

On 22 April, when their cases were considered by Savetski, Tsentralny and Partyzanski Borough Courts of Minsk some of the detainees solicited for advocatory service in accordance with Article No. 250 of the CAI. The judges satisfied the solicitations and delayed trials as the detainees needed some time for finding advocates. However, the detainees were taken back to the detention center. Being kept there, they didn't have any possibility to find advocates. The same happened if witnesses failed to attend the trials.

So, the citizens were detained for 4 days (from 19 to 22 April 2002). Representatives of the Internal Affairs Ministry and judges stated that they had the right to detain the action participants till "consideration of their cases in court" – till the court verdict, as they explained it.

According to the second part of Article No. 257 of the CAI an administrative case is to be considered in three days after the court receives a report about an administrative violation. In this case one can conclude that the persons, detained on Friday evening can be detained for 6 days, as the reports about their violations can be filed to courts on Monday. To our mind, this practice contradicts to Article No. 25 of the Constitution of the Republic of Belarus. Besides, the people who are detained till trial are deprived of the opportunity to find advocates, as it is impossible to find an advocate being in a detention center. This is a limitation of the right to defense, guaranteed by Article No. 62 of the Constitution. At earlier trials the phrase "till consideration at trial" was explained as till the beginning of the court sitting, acceptance of a case. If a trial was delayed or detainees solicited for advocatory service, they were given summons to court and released.

In connection with this fact, being guided by Article No. 47 of the Law "On court procedures and status of judges" the Public Association "Human Rights Center "Viasna"

asks to give the official explanation of the third part of Article No. 242 of the CAI, in private:

1. What does the term “till consideration at trial”, used in the third part of Article No. 242 of CAI mean?

2. What is the maximal term of administrative detention provided by the third part of Article No. 242 of CAI?”

On 22 April the well known film producer Yury Hashchavatski (54 years old) fell ill spending his 10-day term for organization of the protest march “We Cannot Go on Living Like This!”. In a stuffy and overcrowded cell of the detention center in Akrestsin Street he suffered from hypotension.

On 26 April in Minsk the traditional mourning procession Chernobyl Way 2002 devoted to the 16th anniversary of the accident at Chernobyl nuclear power station took place. Participants of the procession gathered at 5.30 p.m. near the Belarusian Academy of Sciences. Before the procession there was a short meeting. The speakers among whom there were representatives of oppositional parties, public organizations, the disabled eliminators of the tragedy's consequences said that the authorities were hiding the truth about the real consequences of the Chernobyl disaster. Then the column went along Frantsysk Skaryna Avenue. Then they turned into Surhanaw Street. People carried bells and icons in front of the procession as a sign of their mourning. Near the Riga supermarket the action participants stood silently with candles for 16 minutes to commemorate the victims of the catastrophe…

On 3 May Maskowski Borough Court of Minsk ruled for the state to pay a 100 000 ruble worth of compensation to Mikalai Statkevich, Chairman of Belarusian Social-democratic Party Narodnaya Hramada. In August 1999 Mr. Statkevich was sentenced to 20 days of jail for organization of the unauthorized procession on 27 July and spent the term at the detention center in Akrestsin Street. At the time of his imprisonment the authorities initiated against him a criminal case for mass riot and ruled to fine him 100 minimal wages. Almost three years later the court ruled to compensate the moral harm to Mr. Statkevich.

On 22 May Minsk City Court considered the complaint filed by organizers of the protest march “We Cannot Go on Living Like This!” Valery Shchukin, Zmitser Bandarenka, Yury Khashchavatski and Tsimafei Dranchuk. The complaint was submitted to the city court after Minsk Maskowski Borough Court refused to consider the complaint of the action organizers against the actions of the city authorities. Minsk City Court left

unaltered the decision of the minor court. The march organizers planed to protest that decision in the Supreme Court.

On 31 May Tsentralny Borough Court of Mahilew considered the administrative case of Yury Vasilenka and Uladzimir Birukow. Vasilenka and Birukow participated in the 26 April action Hour of Sorrow to mark the anniversary of the Chernobyl disaster. Police detained Vasilenka and Birukow for white-red-white flags, the traditional Belarusian flags. They were charged with the violation of Art. 167.1 of the Code of Administrative Infringements. Judge Iryna Saroka officially warned Vasilenka and Birukow. Viasna lawyer Barys Bukhel appeared for Vasilenka and Birukow.

On 3 June about 2 thousand Minsk football fans gathered for the meeting of protest on Yakub Kolas Square: Belarus was one of the few countries that didn't broadcast the world football championship that started in Japan and Korea. The statement of the BPF leader Vintsuk Viachorka "Belarusians without the football broadcast: worldwide shame" was distributed among the meeting participants.

On 18 June Minsk City Court set aside the decision of Maskowski Borough Court to compensate moral harm to Mikalai Statkevich for illegal arrest.

On 5 July Yury Khadyka was seized by police near his apartment block. The police took him to Akrestsina detention center for spending the term to which he was sentenced by Leninski Borough Court of Horadnia. Judge Z. Dzemchanka ruled to punish Yu. Khadyka with 10 days in jail for participation in the celebration of Freedom day on 24 March. Horadnia police refused to imprison the professor, that's why he was arrested in Minsk three days before the end of the term for the verdict execution.

At 7 p.m. on 3 July the artist Ales Pushkin intended to hold a performance devoted to the official "Independence Day" (the day when Belarus was cleared from fascist invaders) between the Minsk hotel and the catholic church of St. Symon and Alena. In spite of the protest of the present people, the police and people in plain clothes detained, beat the artist and took him away in a car in to Maskowski Borough Board of Internal Affairs. There they detained Pushkin for a day without informing his relatives.

On 8 July Maskowski Borough Court of Minsk considered the administrative case against the famous Belarusian artist Ales Pushkin. He was accused under Art. 166 of the Code of Administrative Infringements (insubordination to policemen). Judge Rewtskaya allowed him to have a representative at trial, the lawyer of PA HRC Viasna Valiantsin Stefanovich. The trial was attended by the BPF leader Vintsuk Viachorka, PA HRC "Viasna" Chairman Ales Bialiatski, the deputy of the Supreme Soviet of the 13th Convocation

Liudmila Hraznova and a number of journalists. Pushkin partially admitted his guilt, but ardently defended his rights for artistic action. He even compared it to a priest's right to sermon. The well known writer Vasil Bykaw inspired the last word of the defendant. The artist said: "God is not in force, but in truth. Your honor, truth is in clean hearts." The judge took in consideration the "sincere repentance" of the artist that he occasionally spilt the policemen's uniform with paint and his army service in Afghanistan. She fined him 60 000 rubles and refused to take the video cassette www.pushkin.by and a small bucket of strawberries Ales Pushkin gathered in the shortest night of the year.

On 26 July 2002 Homel city branch of Belarusian People's Front organized a celebration of Independence Day. During the action Chyhunachny borough police lieutenant S. Novikaw arrested the BPF member Yury Dashkowski. Novikaw confiscated 86 leaflets from Dashkowski. Then the police took Dashkowski to Chyhunachny Borough Board of Internal Affairs. Head of police station lieutenant-colonel M. Spirydovich drew up the report of violation of Art. 172 of the Code of Administrative Infringements (distribution of printed materials without publisher's imprint). The case was sent to Homel Chyhunachny Borough Administrative Commission. In accordance with Art. 86 of the Constitution, Yury Dashkowski wanted to use his right to have a representative from the Human Rights Center Viasna during interrogation. Viasna member was there as well and had all necessary documents . However, lieutenant-colonel Spirydovich denied him this right.

On 27 July, an anniversary of adoption of the Decree about the State sovereignty of Belarus, about 100 activists of democratic movements went out to Kastrychnitskaya Square in Minsk, opposite the building of Lukashenka's Administration. They lined up, holding white-red-white flags and the independent Belarusian newspapers who faced the threat of being liquidated. Then the action participants started to pass appeals to different State bodies of Belarus. These appeals contained the claims to the Belarusian authorities to respect the liberty of speech and stop persecution of independent mass media. The police detained the leader of the Young Front Pavel Seviarynets and its member Zmitser Dashkevich.

At 12 p.m. on 29 July activists of opposition parties and businessmen carried out an unauthorized picket in the center of Minsk. The picket took place near Kamarowski market. The picketers protested against violations of businessmen's rights, in particular, against the decision of the city authorities to liquidate all private kiosks in Minsk. About 50 people participated in the picket. The police detained Lavon Malakhaw, member of United Civic Party, for organization of the picket, and took him to Savetski Borough Board

of Internal Affairs. The police also detained Tsimafei Dranchuk, member of the unregistered movement ZUBR. He was taken to a detention center. According to the decision of Centralny Borough Court of Minsk, Dranchuk had been sentenced to 10 days in jail for participation in a Freedom Day rally on 24 March 2002. However, Dranchuk managed not to serve the sentence. Over 3 months passed since the court had made the decision. According to Art. 282 of the Code of Administrative Violations, the administrative sentence must be carried into effect during 3 months since the court decision. However, Dranchuk had to serve the sentence.

On 29 September the activists of Conservative Christian Party BPF Yury Belenki, Uladzimir Plotnikaw, Valery Buival, Zdzislaw Abremski and Kanstantsin Kashel were detained for participation in the unauthorized meeting of support for Belarusian independence.

On 3 October the five members of Conservative Christian Party were released from jail, where they had served their 3-day sentences. The activists were convicted for participation in the 29 September rally to support Belarusian independence. All spent over 24 hours under arrest before the trial. About a dozen party members came to the gates of the Minsk detention center to meet Yury Belenki, Uladzimir Plotnikaw, Valery Buival, Zdzislaw Abremski, and Kanstantsin Kashel. The former arrestees said the prison guards treated them in a neutral way, the meals were adequate. Only the badly-heated cells caused some discomfort. All five considered their sentences illegal and intended to appeal against the court decision.

On 17 November more than 1 000 people gathered in Yakub Kolas square for the action “For Independence!” People came there with white-red-white flags and posters: “Long Live Belarus!”, “Let’s Join Belarus to Europe!”, “Belarusian People is Owner of Its Country”, “We Are for Independence from Lukashenka and Russia!”, etc. The action was organized by Belarusian People’s Front, United Social Democratic Party, Belarusian Social Democratic Hramada, Young Front, and Belarusian Freedom Party. At first Minsk city executive committee didn’t grant permission to hold the action, but after the negotiations with the organizers officially allowed the procession from Yakub Kolas to Banhalor Square. Finally, the organizers managed to hold the meeting even outside the Academy of Sciences. At 1.30 p.m. the column of demonstrators moved along the roadway of Frantsysk Skaryna Avenue from Yakub Kolas Square to the Academy of Sciences. Near the main building of the Academy a meeting took place, at which there spoke heads of the organizer-parties and representatives of intellectual elite – Vintsuk Viachorka, Yury Khadyka, Valiantsina Palevikova, etc. They called on people to defend independence of Belarus and popularize the idea of joining Belarus to the European

Community. They also read appeals to international organizations and countries-guarantors of independence of Belarus, greetings of head of the Board of Belarusian People's Republic Ivonka Survila… The meeting lasted for an hour. After its end a number of people with the leader of Belarusian Freedom Party Siarhiei Vysotski at the head went to the Russian Embassy in order to pass an appeal to Vladimir Putin. The procession and meeting of 17 November started the series of different actions "For Independence and Freedom" that will last till March 25, 2003.

On 18 December Pinsk City Court (Bierastsie region) sentenced Ihar Sarakovik and Ihar Vabishevich to 10 days of arrest. They were punished for violation of the terms of the picket against the war in Chechnya (held on 26 November) as defined by Pinsk sity executive committee. Considering the picket application the city authorities specified the place for it – pavements of Pushkin Square, opposite the building of the public company Pinsksawhasbud. Vabishevich and Sarakovik exceeded the limits of the “allowed” space by 5 meters, which the judge considered as a violation and consequently punished them with arrest.

VIOLATION OF THE RIGHT FOR FREEDOM OF SPEECH AND ACQUIRING TRUTHFUL INFORMATION, PERSECUTION OF INDEPENDENT PRESS AND JOURNALISTS

In the beginning of January Shklow District Court found Aliaksandr Shcharbak, editor-in-chief of the independent newspaper Shklowskiya Naviny, guilty of violating the Law on Press and the Code of Administrative Violations. On the eve of the election, on September 6, 2001 the police found at Aliaksandr's house 300 copies of the third number of Shklowskiya Naviny. The law allows only edition of 299 copies without registration. As a result A. Shcharbak was fined 10 minimal wages (100 000 Belarusian rubles). Besides, on the demand of the district prosecutor the computer equipment used to plan the layout of the newspaper was confiscated. The entire print run of the third number will be destroyed.

On 9 January Orsha City Court started new hearings on the case of equipment confiscation from the office of the independent newspaper Kutseina and NGO Filon Kmita Center. The representatives of the Committee for Financial Investigations did not show up, and the trial was postponed to January 17.

Let us remind you that Orsha Committee for Financial Investigations confiscated the office equipment on 14 and 16 August – in the middle of the election campaign. CFI accused the newspaper and the NGO in violating the infamous Decree # 8 (using the equipment for other purposes than the declared ones). Viktar Andreyew, editor-in-chief and Head of the NGO, was also charged with violation of Article No. 154 of the Code of Administrative Violations (entrepreneurial activities without appropriate license). Last year Orsha City Court rendered CFI actions legally qualified. However, Andreyew did not agree with the court decision and filed a complaint to Vitsebsk Region court. Vitebsk Region Court reversed a judgment and sent the case back for retrial.

On 11 January Belarus sent a note of protest to Russian Ministry of Foreign Affairs. Belarus protests against NTV coverage of Mikhail Liavonaw's arrest. Pavel Selin, NTV reporter, was called to Belarusian Ministry of Foreign Affairs. The press-service employee laid claims and demanded apology for "disrespect of people of Belarus and its President". In his TV report, Pavel Selin compared arrests of businessmen in Belarus to the plot of Agatha Christie's "And Then There Were None ", meaning that there is a secret list of 15 arrests, which had been promised by President, and businessmen are being arrested one by one, according to that list.

On 18 January Orsha City Court held a regular sitting to consider the cassation complaint about the confiscation of the computers where the only independent newspaper in the city, Kutsieina, had been done. The computers were confiscated in October 2001 following the verdict of the same court, passed by Judge Alena Dziameshchanka in absence of the editor-in-chief Viktar Andreyew. As a result of Andreyew's complaint Vitsebsk Regional Prosecutor's office, Court and Justice Board set the judgment aside and demanded the reconsideration of the case. On 9 January the first court sitting took place. Judge Anzhelika Kazlova interrogated V. Andreyew and his witnesses. V. Andreyew said that at the end of 2001 the local authorities deprived him of the license of a businessman after he had registered an independent newspaper using this statute. Further consideration of the case was suspended because of absence of the investigator Uladzimir Burski and postponed to 18 January. U. Burski didn't come to the court on 18 January either. The judge said that the consideration couldn’t be continued without his witness and appointed the new sitting on 12 February expressing her will to take measures for forcible delivery of V. Burski to court.

On 26 January the Russian PEN-center expressed its anxiety over the fate of the editor of the Belarusian non-State newspaper Pahonia Mikalai Markevich and the journalist Pavel Mazheika. Pahonia was closed down by the decision of the Supreme Economic Court in Belarus in November 2001. The reason was that the newspaper had published a number of articles that, according to the workers of prosecutor’s office, contained libel on President Lukashenka. A criminal case was initiated against Mikalai Markevich and Pavel Mazheika. The well-known Russian writers, Heads of PEN-center Andrey Bitov, Andrey Voznesenskiy, Fazil Iskander, Lev Timofeev, Felix Svetov, Yunna Morits and Alexandr Tkachenko applied to Belarusian President with an open letter. “We think that in this case the liberty of expression guaranteed by Article No. 19 of the Universal Declaration of Human Rights was violated, and they (Markevich and Mazheika) are persecuted for their professional activity”, – was written in the letter. The writers called on A. Lukashenka to act as a guarantor of the Constitution and Declaration of Human Rights, to “use your powers to annul the court ruling concerning Pahonia and stop the persecution of M. Markevich and P. Mazheika”.

On 7 February the Supreme Economic Court refused to lodge protest against its own decision of closing down Pahonia. Deputy chairperson Yahoraw informed Pahonia editorial board about this decision. The letter says, "We have considered the facts in your supervisory complaint and have not found any violations of the legislation"

On 8 February Prosecutor's Office of Belarus issued the warning to the journalist of Belorusskaya Delovaya Gazeta Iryna Makavetskaya. The ground for that was the so-called “inaccurate information and groundless conclusions that discredit the work of law enforcement structures”. The matter is that I. Makavetskaya in one of her articles described the beating of young people by policemen. The victim of the case was accused of taking bribes. The journalist and her representative Mikhail Pastukhov intended to appeal to court against the warning.

On 12 February Orsha City Court gathered for its 4th (and last) session on the case of Viktar Andreyew, Kutseina editor-in-chief. Judge Angelika Kazlova postponed the trials 3 times during the last month. Only on 13 February the editor of the independent newspaper Kutseina finally learned about the outcome of the trial. The judge decided that financial police should return the risograph, confiscated from Kutseina before the Presidential election. However, all 4 seized computers were left as confiscated. Viktar Andreyew was fined 20 minimal wages (about $120). Judge Angelika Kazlova motivated her decision exclusively by the fact, that there was the lay-out of newspaper Uskhod Batskawshchyny, with indication 299 copies, saved on the hard drive of one of the computers – and in August the police confiscated 368 copies of the newspaper, together with the risograph. The editor of Uskhod Batskawshchyny Yury Sanko explained in court that those copies had printing defects and were not meant for distribution. But the judge did not accept such explanation and found Andreyew guilty of violating Art. 154 of the Code of Administrative Violations, which provides for confiscation of the equipment which was used for publishing bigger than permitted number of copies. Viktar Andreyew stated that he did not agree with the judge’s decision, and is planning to complain against the verdict to city public prosecutor’s office, to the regional court and to the Justice Department of the regional administration.

On 13 February Markevich's property (a washing machine, a TV set and a vacuum cleaner) was seized. Markevich did not manage to pay the fine he had received for the participation in the unauthorized picket to defend his newspaper.

On 28 February it became known that in spite of the decision of the Orsha Town Court the Interdistrict Department of Financial Investigations refuses to return the risograph confiscated from the editor office of the Kutseina newspaper. Head of the department Mr. Trayanowski explained that financial police didn't not agree with the decision and filed a complaint to the Prosecutor's Office. The representative of Kutseina interests Aleh Hrablewski stated that according to the legislation in force the risograph should have been returned to the office of the newspaper until the moment of the complaint consideration.

On 4 March editor-in-chief of the independent newspaper Nasha Niva Andrey Dynko was summoned to the National Prosecutor's Office and given a warning. The editorial office was accused of violation of Article No. 5 of the Law on Press – distribution of information on behalf of unregistered organizations, public associations, trade unions an so on. In the warning the authorities mentioned two publications in the 1st and the 2nd issues of Nasha Niva dated 4 and 11 January. In both articles the Belarusian Autocephalous Church was mentioned.

On 12 March the biggest human rights organizations: Human Rights Center Viasna, Belarusian Helsinki Committee, Center for Human Rights, and Legal Assistance to Population addressed President A. Lukashenka, Prosecutor General V. Sheiman, and Horadnia Region Prosecutor V. Litvinaw with a protest against the closure of the newspaper Pahonia and criminal persecution of its journalists. The address in particular says the following: "On 12 November 2001 The Supreme Economic Court ruled to close independent newspaper Pahonia. The ruling was based on 2 official warnings. Pahonia received one warning from the State Committee for Press, and another one – from Horadnia Regional Prosecutor's Office. The Supreme Economic Court disregarded the arguments of Pahonia editorial staff. It also disregarded the fact that the Ministry of Information had withdrawn its suit before the trial began. The closure of one of the influential independent newspapers raised fair protests of Belarusian, as well as international public… We affirm that the Belarusian authorities again demonstrate their contempt for the principles of the freedom of speech, the right to freely receive and disseminate information, the right to freedom of belief and freedom of expression. Criminal persecution of the independent mass media in Belarus is the evidence of continuing confrontation between the State authorities and Belarusian society. We believe the pressure, exerted on the representatives of the independent mass media, is politically motivated, it is the consequence of their devotion to democratic values, especially during the election campaign. We urge the authority bodies to immediately stop the criminal persecution of Pahonia editor-in-chief Mikola Markevich and its journalist Pavel Mazheika, as well as of other representatives of the Belarusian mass media".

On 1 April opposition activists held an unauthorized picket in front of Horadnia Regional Executive Committee in support of Mikalai Markevich, editor-in-chief of Pahonia, and its journalist Pavel Mazheika. The picketers held up posters saying, “Mazheika, Markevich…Who Is Next?” “Freedom=Freedom of Speech”, “Hands Off Pahonia!”. After about twenty minutes, six protesters, including Zmitser Antanovich, Zmitser Dulko, Stas Pachobut, Pavel Mutny, Ales Dzianisaw and Illia Piachynin, were

detained by the police. The picket was organized by the unregistered Confederation of Acting Groups Together!.

On 2 April the police detained an NTV crew outside the prison in Kalvaryiskaya Street in Minsk. NTV journalists arranged an interview with the wife of ex-rector of Homel Medical Institute Yury Bandazhewski, who had been charged with bribery and sentenced to eight years of imprisonment. Halina Bandazhewskaya came to Minsk to have a meeting with the imprisoned husband. After the end of the meeting the NTV reporter Pavel Selin started to interview Halina in front of the camera 50 meters away from the prison wall. The camera was pointed in the opposite direction. However, it didn’t save the Russian TV crew from a conflict with the police. The man who identified himself as vice-Head of the prison Los, took away the documents of the reporter Pavel Selin, the cameraman Kanstantsin Marozaw and his assistant Zmitser Davydzenka. The prison authorities were checking the documents for an hour. Then they told all three to write explanation notes and let them go.

On 5 April another action in support of Pahonia was organized. The organizers repeatedly applied to Horadnia City Executive Committee for the permission, but they were denied their constitutional right to hold a picket. Two unauthorized pickets took place from 11a.m. to 1.30 p.m. downtown Horadnia: near the building of Horadnia City Executive Committee and on Savetskaya Square. The picket participants held the posters with the following slogans: "Hands Off Markevich and Mazheika!", "If you are a journalist, they'll find a prison cell for you", "I also write the truth about the president. Am I the next one?". The picket participants handed out leaflets which informed the passers-by that the trial over the Pahonia journalists would start on 9 April at 11 a.m. at Leninski Borough Court of Horadnia. The leaflets ended with the words: "We will not let them cripple the journalists' lives!!!" During the pickets all downtown Horadnia was crowded with policemen and people in civil clothes, who followed each group of picketers. The first picket that was held by the regional executive committee was met by a reinforced unit of police, that apparently had information about the action. During the pickets the police arrested 14 people. One of the picketers was released. The police detained the following people:

Volha Artsiomenka (Birzha Infarmatsyi)

Iryna Charniawka (Belaruski Chas)

Yulia Darashkevich (Pahonia)

Aliaksandr Dvaretskaw (member of BAJ)

Andrzej Kusialchuk (ex-editor of Glos z-nad Nemna)

Andrei Mialeshka (Nasha Niva)

Andrei Pachobut (Glos znad Niemna)

Stas Pachobut (Navinki)

Andrzej Pisalnik (Den)

Vitawt Rudnik (editor of Tretsi Sektar)

Alesia Sidliarevich (Pahonia)

Alena Sinevich (Radio Racyja in Bialystok)

Zmitser Yahoraw (BARC-news)

By the evening of the 5 April the trials over the reporters were ended. Judge Zmitser Dziomchanka finished reading the rulings at 6.35 p.m. Andrzej Pisalnik was sentenced to 10 days of jail, Stas Pachobut – to 10 days of jail. Andrei Mialeshka – to 8 days of jail. Zmitser Yahoraw and Vitawt Rudnik were sentenced to 3 days of jail, Aliaksandr Dvaretskaw – to four days of arrest,. Some protesters were fined. Iryna Charniawka was fined 30 minimal wages, Alena Sinbevich – to 20 minimal wages. Volha Artsiomenka and Andrei Pachobut were warned. Trials over Andrzej Kusialchuk, Alesia Sidlarevich and Yulia Darashkevich were postponed. Stas Pachobut went on hunger strike.

On 11 April it was the 7th day of hunger strike of the Navinki newspaper journalist Stas Pachobut. The detention center administration allowed Pahonia editor Mikola Markevich meet with Stas. Markevich was allowed a meeting when he promised he would try to convince Stas to stop the hunger strike. Markevich was not allowed into the cell. He met with Stas in a separate room.

On 18 April Krychaw independent newspaper Volny Horad again attracted the attention of the police. The policemen tried to confiscate the print-run of the new issue of the democratic newspaper. The responsible secretary of Volny Horad Vadzim Stsefanenka informed that the newspaper express person was detained in the Krychaw railway station with the new print-run from the printing house in Smalensk. The police told him that they had the information about the huge print-run of the unregistered newspaper. When the papers were counted in the police station it turned out that there where only 220 copies that is within the allowed limit. Anyway, the police made the record and confiscated the newspaper copies.

On 24 April the Belarusian Foreign Ministry warned Pavel Selin, a journalist of NTV, the Russian television network. Aliaksandar Lukashenka making his speech in front of the Deputies of the National Meeting stated that he warns the journalist of NTV, the Russian television network, regarding the possible consequences of covering the events of April 19 in Minsk, where the Belarusian police and special forces are seen to be brutally dispersing the peaceful demonstration of democratic forces. According to Lukashenka's words "the opposition had to show the negative picture of the human rights violation in Belarus on the eve of the meeting of George Bush and Vladimir Putin" and Pavel Selin tendentiously "executed the order".

On 24 April the crew of Russian Television channel NTV coordinated by Aliaksandr Kalpakow that came from Moscow to Minsk were refused the possibility to fulfill their professional duties. The crew intended to cover the visit of Aliaksandar Lukashenka to Homel region. But the Ministry of Foreign Affairs just refused to issue accreditation to them.

On 3 May according to the resolution of the Supreme Economic Court that set aside the warning to Nasha Niva, 200 000 Belarusian rubles of the court expenses had to be paid by National Prosecutor office of Belarus. The editor-in-chief of the newspaper Andrey Dynko commented on the resolution and called it "a good lesson for the future". The warning was issued for mentioning of the Belarusian Autocephalous Church in the articles.

On 8 May the criminal case was started by Leninski District Board of Internal Affairs of Horadnia on the fact of attack on the journalist Yury Humeniuk. The attack took place in the evening of 4 May (about 22:00 hours) near the Cosmos movie theater. The criminals took the Japanese watch and a purse with a small sum of money. The victim suspects political motivation – earlier he was working in the closed newspaper Pahonia.

On 24 May the editorial office of Nasha Niva newspaper received a letter from Prosecutor-General of Belarus Viktar Shejman, in which he protested against the recent resolution of the Supreme Economic Court regarding the payment of 200 000 Belarusian rubles of the court expenses.

On 13 June the Presidium of the Supreme Economic Court satisfied the protest of Prosecutor General Viktar Sheiman. Sheiman protested against SEC decision on the lawsuit of The Nasha Niva newspaper. Last month SEC invalidated a warning, which Nasha Niva had received from the prosecutor's office. Prosecutor General interfered to cancel the decision in favor of the independent newspaper.

On 13 June the Supreme Economic Court (Judge A. Fedarenski) rejected the lawsuit by the newspaper Narodnaya Volia. Narodnaya Volia asked the court to invalidate the official warning received from the Ministry of Information. The newspaper was warned on 21 March for the article "Big Laundering". According to the Ministry, the article contained information, which disgraced the honor and dignity of President of the Republic of Belarus. Narodnaya Volia was accused of violating the Law on Press, Art. 5. Two warnings during one year might lead to closure of a periodical. Narodnaya Volia appealed against the warning to the Supreme Economic Court. The appeal said the Ministry of Information did not have the power to determine if the information distributed about the disgraced was untrue (this is the privilege of court). Secondly, the article was actually a reprint from an article distributed by another mass medium – Radio Liberty. The Narodnaya Volia article had a reference to the source of information; Radio Liberty also confirmed that fact by a letter to the court. According to Art. 47 of Law "On Press and Other Mass Media". Such circumstances relieve staff of the responsibility. The Ministry representative failed to meet the staff's arguments or prove the validity of the warning in any other way (which is demanded by Art. 31 of the Economic Code of Procedure). It seemed the announcement of the verdict would be a mere formality. Nobody expected the court would rule to reject the lawsuit.

On 13 June Minsk Radio Racyja reporter was not able to be present on MFA press-conference. Deputy FM Aliaxandr Herasimenka talked about changes in visa regimes on the Polish, Lithuanian, and Latvian borders. The Ministry press-secretary Pavel Latushka, who didn't let the reporter in, explained that Radio Racyja, registered in Poland, did not have an MFA accreditation. Previously Racyja reporters had never had problems with visiting MFA press-conferences. Latushka said such practice had been an exception to the rule. During the last 2 years Radio Racyja submitted three applications for accreditation. Every time the Ministry of Foreign Affairs rejected their application without any reasons. The Law on Press, which regulates foreign journalists' accreditation, allows the Ministry to impose limitations only for journalists of the countries which limit the rights of Belarusian journalists. According to Belarusian Association of Journalists, this limitation does not apply to Polish mass media reporters.

On 19 June the bank account of Narodnaya Volia, an independent newspaper, was frozen on the order of District Court Judge Hrachova of Zhodina, Minsk Region. Iosif Siaredzich, Narodnaya Volia’s editor-in-chief, informed about that. The grounds for the court’s actions against the newspaper were the result of the defamation charges brought by two local judges. In one of its issues, Narodnaya Volia carried an article, which, the judges insisted, tarnished their reputation. They were seeking 2,5 million BRB each in

moral damages. Siaredich said that he was going to appeal to the town court with the demand to open the newspaper's account. He did not refuse that "this was the planned action of the power to stop the work of the newspaper".

At 11 p.m. on 23 June two policemen came to the building of the local newspaper Altanka and the public association Center of Regional Co-operation in the town of Belaaziorsk (Berastse district). They said that they had been informed about some stolen things hidden in one of the rooms. They didn't react to the people requesting the warrant or identification. They examined the office and said that it should be sealed. They made two workers of the editorial staff go with them to Belaaziorsk Town Department of Internal Affairs and interrogated them there till 3 a.m. without composing any documents. Neither record of search nor the record of interrogation was created. The next day the full search was conducted in the same office without any sanctions or records by unknown policemen in civil suit.

On 3 July Young Front held an action in support of the independent press. Several groups of youngsters were distributed independent editions in the streets of Minsk, asking citizens to subscribe to independent press and read it. All in all they handed out several thousands of the newspapers Narodnaya Volia, Belaruskaya Hazeta, Belaruskaya Maladziozhnaya, Svobodnye Novosi", Nasha Niva, Nasha Svaboda in Frantsysk Skaryna Avenue and the main squares of Minsk. Passers-by liked it very much and willingly took the newspapers. The Young Front members also distributed fly-sheets with information about Zavadski's disappearance. The action started quietly. At first the police didn't detain the youngsters near KGB building. Then, having received an order, they started to detain people and confiscate the editions. They seized at least three people among whom there were Ruslan Kharkevich and Zmitser Dashkevich. The logic of the detentions is still quite obscure: why can one sell, but can't simply hand out the independent press?

On 11 July Pinsk City Executive committee refused the businessmen Siarhei Kastsiukovich to register the location of the office of the new independent newspaper Liusterka. The reason was unique: the official decided that "in XXI century this is a definite anachronism to work as an editor without special education…". The court has to evaluate the literature abilities of the official as the founders of the newspaper are going to appeal to the economic court.

At night of 14 July the office of CJSC BelKP-PRESS was robbed. The criminals stole the computers, where the newspapers Komsomolskaya Pravda v Belarusi , Va-Bank, Antenna, Izvestiya were prepared. As the result the following issue of Komsomolskaya Pravda was published in Moscow version without the Belarusian attachment.

On 26 July Anatol Tozik, Chairman of Belarusian State Control Committee, filed a libel suit with Maskowski District Court of Minsk against the newspaper for "insulting his honor, dignity and business reputation" for article of. Anatol Tozik demanded 200 millions BRB from Nasha Svaboda and 15 millions from M. Padaliak (in total about 120 000 USD). The matter is the article published 16 July in the special edition of Nasha Svaboda by M. Padaliak called "Confidential" which concerned the 256 page report prepared by the Russian experts regarding the situation in Belarus including the recommendations in respect of the perspectives of A. Lukashenka as the leader of the country and possible search for substitutions for him in the near future. On 18 July A. Lukashenka called Prosecutor-General V. Sheiman and Chairman of Belarus State Control Committee Anatol Tozik for the meeting where he said that some "tabloid" newspapers publish unproven information in order to discredit the high ranking state officials. The court appeal by Anatol Tozik was the result of the meeting.

On 30 July the bank account of Nasha Svaboda was arrested and its equipment confiscated.

On 1 August the Ministry of Foreign Affairs demanded Belarusian office of Radio Liberty in Minsk to accredit in the Ministry its journalist Alena Pankratava. The Ministry warned that otherwise the activities of the Radio could be stopped.

On 2 August the court consideration of the case against Nasha Svaboda took place. Editor-in-chief of the newspaper Pavel Zhuk immediately asked to replace the judge Anatol Savich that in September 1999 considered the case of V. Sheiman, at that time Head of the Security Council against the Naviny newspaper, which was at that time headed by P. Zhuk. That case was satisfied by the judge and the newspaper was closed. The request was considered groundless and refused. The consideration lasted for nine hours. Finally the judge took the resolution: to sentence the moral damage in full and compensation -- partially. According to the court verdict the newspaper is to pay 100 000 million rubles and Mikhail Padaliak – 5 million. The refutation of the data that insulted the honor, dignity and business reputation of A. Tozik should be published on the first pages of the biggest state newspapers Sovetskaya Belorussiya and Respublika. Though it is still unclear what insulted Mr. Tozik, as the pages quoted from the report according to the opinion of Mikhail Padaliak underline the good qualities of A. Tozik as Head and executive. Also it is not clear why his business reputation costs so much? Let us remind one similar case: on 14 September 1999 the article "Who lives in the hut?" was published in Naviny newspaper. V. Sheiman considered the article as an insult to his honor and dignity. He appealed to the court on 16 September. On 17 September the equipment of

responsible editorial office was sealed. On 21 September the consideration took place. On 24 September Judge A. Savich announced the resolution – the case was satisfied. From the moment of the appeal to the court consideration six working days passed only. The newspaper was unable to pay the huge compensation of "moral damage" and therefore was closed.

On 2 August the authorities stopped the printing of the next issue of the newspaper in the state printing house Red star from Minsk. Anatol Savich decided to seize 1 million BRB transferred to the account of the printing house by a private firm. In an hour the judged called the meeting of the court and at 20:00 hours he issued the resolution to take this million as the fine compensation. Pavel Zhuk, commenting the situation said that this all reminded him the Stalin times when courts made quick and predictable decisions.

At night on 5 August the editorial office of the independent newspaper Zhoda was robbed. As the result all the computers were disassembled – all hard drives, memory and other devices with the complete information database of the newspaper. Other valuable things – video equipment and money did not attract the attention of the thieves. The criminals got to the office having opened the door with the key. The editor-in-chief of the newspaper Aliaksei Karol thinks that the event has the political meaning and perfectly suits the campaign of pressure against and threatening of the independent press. In the opinion of Mr. Karol, "this is stupid but very logical step of the authorities".

On 8 August editor-in-chief of the trade union newspaper Belaruski Chas Aliaksandar Starykevich was dismissed from his job. He was familiarized with the dismissing resolution issued by the new head of Federation of Belarusian Trade unions Leanid Kozik. The ground for the dismissal was "the decision of the employer". Commenting on that Mr. Starykevich said that he probably will not address the court: "I can evaluate the situation in the Belarusian trade union Federation and in the Belarusian Justice system in general. I don't think it is worthwhile to appeal to the court…the new management of FBTU require a new newspaper and therefore the new editor-in-chief". The lawyer of the center of legal defense of mass media of Belarusian Journalist Association Andrey Bastunets doubted the legitimacy of the resolution of L. Kozik, saying that Aliaksandar Starykevich was appointed by the FBTU Plenary session. But the last Session refused to acknowledge the retirement of Starykevich. What was impossible for the Plenary session was quite easy for L. Kozik himself. Let us remind that during the presidential elections Aliaksandar Starykevich supported the candidate of the united opposition, former head of FBTU Uladzimir Hancharyk. The weekly Belaruski Chas was created in the end of 80th

and now has the circulation of 42 000 copies. During the period of Aliaksandar Starykevich's editorial activities the volume of the paper increased from 8 to 16 pages.

On 12 August in the town of Barysaw (Minsk Region) the local branch of the youth movement ZUBR conducted an action in support of convicted journalists of Pahonia newspaper Mikola Markevich and Paval Mazheika. At the square in front of the town stadium the participants held the slogans: "The power press on the independent press", "We won't let shut the voice of truth!", and also distributed the independent newspapers to passers by. The police tried to detain one of the activists of ZUBR Ihar Zakrewski, but after the interference of journalists and other members of ZUBR he was soon released.

From 12 August the broadcast of Russian radio stations Mayak and Yunosts and the time of broadcast of RTR, Kultura, NTV was shortened.

On 14 August the international organization Reporters without Borders expressed concern regarding the persecution of the journalists of Radio Liberty in Belarus. In the letter to Minister of International Affairs Mikhail Khvastow the organization called him to accredit the journalists of the Belarusian office of Radio Liberty that filed proper applications and not interfere with free movement of the journalists within the country.

On 21 August Siarhei Atroshchanka, cofounder of Svobodnye Novosti, took the equipment, which belonged to him, out of the editorial office. The businessman announced the newspaper unprofitable, and stopped the account.

On 27 August Belarusian Association of Journalists demanded resignation of Information Minister Mikhail Padhainy. In its open letter BAJ emphasized that the Ministry, having lots of power, turned into a tool of oppression of rights and freedoms. The last example of this is the Ministry's position about closing down Svobodnye Novosti.

On 31 August Russian TV Channel ORT demonstrated Pavel Sharamet's film "Wild Hunt-2". The film talked about what had happened to the abducted opposition people in Belarus. Unfortunately, Belarusian public was not able to see the film. Belarusian TV transmitted another TV program instead of Sharamet's Wild Hunt-2. The Belarusian TV administration explained the incident by their unwillingness to "destroy the atmosphere of trust in Belarusian society".

In August the publishing house Belarusian Press house refused to publish the newspaper Svobodnye Novosti Plus that was started by the editor office of Svobodnye Novosti, and the association Belpochta refused to deliver this newspaper to the subscribers.

On 4 September Kletsk District Court considered a criminal case of murder. The trial was open for public. Aleh Nikulin came to the hearing as a journalist, in order to prepare an article for a local newspaper. Nikulin is a member of Belarusian People's Front and is famous in Kletsk as a member of opposition. This was the reason why policemen, guarding the court building, did not let the journalist into the courtroom. Instead, they detained him and took him to a local police station. There they tried to accuse Nikulin of being drunk in a public place. The detained demanded that he should be able to take an alcohol test. A local clinic conducted an examination and proved Nikulin was completely sober. There were no other charges the police could think of. However, they kept Nikulin for 7 hours and then released him, making no report. Aleh Nikulin considered the actions of the policemen illegal and intended to complain against them to the district Prosecutor’s Office.

On 6 September one of the cofounders of Svobodnye Novosti Siarhei Atroshchanka that had initiated the “burying” of the newspaper appealed to the Prosecutor's Office against the publishers of Svobodnye novostsy plus regarding usage of his intellectual property and trade mark. Aliaxandr Ulitsionak, editor-in-chief of Svobodnye Novosti Plus, called the actions of Atroschanka “unprecedented insolence”. He was called to the Prosecutor's Office on the same day.

On 12 September the Collegium of Minsk City Court considered the cassation appeal of editor-in-chief of the independent newspaper Nasha Svaboda Pavel Zhuk and journalist Mikhail Padaliak. The Collegium left the resolution of the lower court in force (a month ago Judge A. Savich issued the resolution to fine the editorial office of Nasha Svaboda for 100 million rubles and the journalist Mikhail Padaliak for 5 million for so called moral damage to the head of State Control Committee of Belarus Anatol Tozik. Editor-in-chief of the independent newspaper Nasha Svaboda Pavel Zhuk and journalist Mikhail Padaliak addressed the court with cassation appeal. The Collegium of Minsk City Court including judges Zhupikava, Dulup an Basaw considered the case very quickly. The resolution came into force on 12 September, but the editorial office has the right to send the appeals in the following order, first – to Head of Minsk City Court and then to the Supreme Economic Court of Belarus or National Prosecutor's Office. Pavel Zhuk and Mikhail Padaliak filed the appeal with National Prosecutor's Office the same day.

On 18 September Investigator of the Prosecutor's General Office Viachaslaw Tserashkovich filed a suit on defense of his honor, dignity, and reputation. Defendants were Belorusskaya Delovaya Gazeta and Homel journalist Iryna Makavetskaya. The reporter of Belorusskaya Delovaya Gazeta Iryna Makavetskaya made detailed reports about the course of "Doctors' Case" – trial on bribe-taking charges against teachers of

Homel Medical Institute. The "Doctors' Case" had received publicity in the country and drawn attention of the international community. Representatives of many Belarusian and international human rights organizations, including Amnesty International, were present in the courtroom during the trial. The criminal case had an equivocal nature. The public tended to think the trial over the Institute administration had been caused by scientific work of professor Bandazhewski, who researched destructive effects of small radiation doses on human body. Besides that, during the trial the public learned about multiple facts of cruel and inhumane treatment of people in custody, numerous facts of psychological pressure and even usage of psycho-tropic substances towards pro-rector Uladzimir Rawkow. Investigator Tserashkovich thinks that "information, spread both by Makavetskaya and the editorial team, did not correspond to the facts and derogate from my honor, dignity and reputation".

On 20 September the journalist Iryna Khalip was summoned to Minsk City Prosecutor’s Office and interrogated. The investigator Uladzimir Shylaw informed her that the General Prosecutor’s office had instituted criminal proceedings against her and put Minsk Prosecutor’s Office in charge of the investigation. Iryna Khalip was suspected of libeling Viktar Sheiman, Prosecutor General. The reason for the proceedings was the article “Afghan Greyhounds”, published in the newspaper Dlya Sluzhebnogo Polzovaniya. This article described the circumstances of the criminal case against ex-President of Bieldziarzhkharchpram Viktar Kazeka and his son Andrei Kazeka, ex-Head of market department of Kryshtal factory. Both were suspected of bribery and embezzlement of State property. Iryna Khalip referred to the videotape kept in KGB. On this tape Andrei Kazeka’s common-law wife talked with a representative of the firm Afghanvet. According to the newspaper information the firm representative offered his mediation in closure of the criminal case against Andrei Kazieka for $250 000. The article argues that a part of this sum was for the investigators and Prosecutor General, Viktar Sheiman, and the other part – for Afhganvet firm. Iryna thinks that the actions of the Prosecutor's Office confirm her conclusions. Sviatlana Kalinkina, editor-in-chief of the newspaper Dlya Sluzhebnogo Polzovaniya, said that the warning was groundless.

Iosif Siaredzich, editor-in-chief of Narodnaya Volia commented on the statement of Lieanid Kozik, Chairman of the Federation of Belarusian Trade-unions, who, meeting journalists on September 25, said he would write a letter to the Minister of Information requesting the closure of the newspaper that, to his mind "insulted FBP [Federation of the Belarusian Trade Unuins] and its members in several publications". The Ministry of Information hasn’t received any letters from Kozik yet. By the way, if the Minister of Information warns the newspaper following Kozik's request, the periodical may well be

liquidated. On March 20, 2002 Narodnaya Volia received one warning. According to Article No. 5 of the Law On the Press two warnings in one year can result in the closure of the periodical. It has been the third attack of Belarusian officials since the threatening statement by Aliaxandr Lukashenka on 17 September that "this newspaper may not exist in Belarus" and partial attachment of its property (for "provision of the suit of Judge T. Zlobich" against the newspaper). At the same time, some information came up, concerning the Prosecutor’s checking up on the published interview with the ex-director of Minsk Tractor Factory M. Liavonau, currently kept in Zhodzina detention center. Soon L. Kozik announced the initiative of closing the biggest independent newspaper in the Republic. The recent poll by the Independent Institute for Social, Economic and Political Studies showed people don't share the authorities’ attitude toward the independent press. Only 16% of the respondents consider as just the prosecution of journalists of Pahonia and Rabochy, comparing with 40,6% who think otherwise.

Approximately at 9 p.m. on 28 September unidentified persons attacked the correspondent of Radio Racyja Henadz Kesner. After Kesner got off a bus, somebody repeatedly hit his head. The journalist passed out and was taken to hospital with an open craniocerebral injury. In September 2002 similarly assaulted were Aliaksei Karol, a politician and the editor of the independent newspaper Zhoda and a writer Adam Maldzis. The attackers weren’t found. On the Radio Racyja Henadz Kesner covers human rights issues.

In the beginning of October another suit has been brought against the newspaper Belorusskaya Delovaya Gazeta. The claimant is trying to receive 100 million rubles (53,000 dollars) from the paper. The claimant is an employee of the Belkaapbank [Belarusian Cooperative Union's Bank], Pavel Dzik, who thinks that the newspaper and its contributor Pavel Satsuk damaged his honor, dignity and business reputation. Two respondents were mentioned in the libel suit received by Minsk Kastrychnitski Borough Court: BDG and Siarhei Satsuk, who wrote the article "Investigation Keeps Bank" published by the newspaper on 14 August. The claimant, Pavel Dzik, was indignant that the author incorrectly quoted his position in the bank (the publication called him Chairman of the Board of Belaruski Birzhavy Bank (Belarusian Exchange Bank). But the main grievance was that, according to Satsuk's article, it was Mr. Dzik who was to blame for "the unfavorable bank balance". Pavel Dzik insisted that the article "contained untrue information, defamed his honor, dignity and business reputation". Besides, the claimant stated that the author of the article deliberately misrepresented the information. But the newspaper's founders were sure that the information reported by the author was true. On 7 October Liubow Vashkevich, director of the Marat publishing house (BDG founder),

was summoned to Prosecutor's office. Liubow Vashkevich told Radio Racyja it was the first time since she started working with BDG 10 years ago that there were so many suits brought against the newspaper. She hoped this was just a coincidence

On 21 October Kastrychnitski Borough Court of Minsk heard the suit filed by investigator of Prosecutor General's office Viachaslaw Tserashkovich. Iryna Makavetskaya, BDG reporter in Homel and Homel region, was one of the defendants. In the very beginning of the session, the court did not satisfy the plea of Tserashkovich about additional claims. Tserashkovich demanded refutation of information, spread via BelaPAN agency and published in newspaper Nasha Svaboda. Kastrychnitski Borough Court decided that this claim should be considered by appropriate borough courts, where Nasha Svaboda and BelaPAN were registered. Reporter Iryna Makavetskaya made a motion to have Hary Pahaniaila, member of Belarusian Helsinki Committee, as her second representative in court. Hary Pahaniaila filed a motion to stop the hearings, claiming there was nothing to discuss. The judge announced a break in the hearings.

In the end of October every deputy of the Chamber of Representatives received an alternative variant of the Law on Mass Media prepared by lawyers of the Center of Legal Defense of Mass Media, Belarusian Association of Journalists. Head of the Center Mikhail Pastukhow commented on it in the following way: "We hope that deputies won't remain indifferent to views of the journalists who deal with the Law on Press everyday and the lawyers who are familiar with all aspects of law enforcement in the field of the mass media. However, being realists, we don't expect the deputies to reject the official draft law and adopt ours. It will be very good if a commission made up of deputies and journalists is set up, the official law is discussed and the most controversial points are excluded". BAJ has also applied for the deputies to submit the official draft law to the Council of Europe

In October Kobryn Town Executive Committee refused to register the new independent newspaper – Moladzevy Vesnik Newspaper that was founded by a few young people from various districts of Brest region as they plan to locate the newspaper on the whole territory of the region. They found a place in Kobryn that was planned to be the office. But Kobryn Town Executive Committee did not agree on the newspaper in the town. The experts of the Center of Legal Defense of Mass Media of BAJ found 16 violations of the acting legislation. It is worth mentioning that in Kobryn, where 50 000 people love there are no independent newspapers. All earlier attempts to register an independent newspaper were rejected by the local authorities.

In October Horadnia Regional Prosecutor’s Office submitted a letter to Horadnia Leninski Borough Board of Internal Affairs a letter with the proposal to administratively punish a number of journalists for “maintaining the internet-newspaper Pahonia. The Prosecutor’s Office also submitted printed materials from the site http://pahonia.promedia.by for September and the “list of the newspaper’s editorial staff” with telephones and home addresses. Iryna Charniawka was the first to be summoned to the police. In her written explanation she denied any relation to the site. Horadnia journalists – Yulia Darashkevich and Andrei Pachobut – were called to police for a conversation about the Internet newspaper Pahonia.

In October the Unistar Radio journalist Yana Kaminskaya was told to tender resignation for having voiced on air the information which Lukashenka’s administration didn’t like. Kaminskaya thinks the case is a good example of how free the Belarusian journalists really are. The basis for her dismissal was Unistar own information about the unification congress of the two Belarusian youth unions. A Unistar reporter, along with other representatives of the non-state media, weren’t allowed inside the Minsk concert hall which hosted the assembly. The accreditation card, received in advance, was unexpectedly voided one day before the event. The organizers explained this move by Aliaksandr Lukashenka’s sudden decision to attend the congress. Thus, the radio, which is supposed to promote youth policy, was not given access to information. The Unistar Radio is a joint Belarusian-German venture. On the Belarusian part the founder is the Belarusian State University and so the main radio station’s target group is students and schoolchildren. The state has a “controlling interest” and so the term “independent” can hardly be a description of the radio-station’s status. This is the first case after the closure of Radio 101.2 when an FM journalist is fired for political motives. All FM-stations fear the consequences and give practically no information about the activities of non-governmental organizations and the opposition. Some stations avoid all kinds of political information, even pieces received from official sources. They realize promotion of Lukashenka's policies would leave them without advertisers, and opposition news – without the State license.

On 1 November the last issue of unregistered Krychaw weekly Volny Horad was published. Volny Horad ceased to be published because of financial problems and problems with the local authorities. Since 1998 the editorial staff managed to publish 109 issues of the newspaper (with circulation of 299 copies). Volny Horad was printed in a Smolensk private publishing house and was distributed among Krychaw district residents free-of-charge. Since 1998 the editorial staff made dozens of attempts to register the newspaper in the Ministry of Justice. However, Krychaw District Executive Committee

refused to register Volny Horad as a legal entity, which made all efforts of the editorial staff wasted.

On 6 November a law-enforcement officer seized equipment from the office of Nasha Svaboda newspaper. The editor stopped publishing Nasha Svaboda, when on 2 August Maskowski Borough Court Judge Anatol Savich satisfied the suit of Anatol Tozik, Head of State Control Committee, against the newspaper and its journalist Mikhail Padaliak. To compensate the moral damages to Tozik, the judge obliged the newspaper to pay the plaintiff 100 million rubles – around USD 53,000 -- (Tozik asked for 200 million). Mikhail Padaliak had to pay 5 million rubles. Tozik sued the newspaper for the article titled "Confidential" which related the conflict between the officials of different structures who are close to Lukashenka. The decision of Maskowski Borough Court was appealed against in Minsk City Court, which left it unaltered. The newspaper had been practically closed down even before the city court considered the appeal: its equipment and property had been seized, and the bank account frozen. The editor tried to go to court and cancel the attachment of the property which belonged to private persons and had been just rented by the publishers. However, he did not succeed in his efforts. According to Nasha Svaboda editor Pavel Zhuk, the law-enforcement officers seized all 18 computers, fax-machines, telephones, other equipment and property, situated in the office. The newspaper office was located in a private apartment, rented by the editor. The law-enforcers confiscated some property, which belonged to the owners of the apartment, for example, the refrigerator. Pavel Zhuk thinks the authorities are trying to prevent him from organizing a new edition, which might appear soon.

On 18 November Minsk Kastrychnitski borough court didn’t sustain the claim of the investigator of especially important cases of the prosecutor’s office of the Republic of Belarus Viachaslaw Tserakhovich against the correspondent of Belorusskaya Delovaya Gazeta Iryna Makavetskaya. The sitting that was delayed for a month took place only on November 18 and lasted for about an hour. Judge I. Basko considered the written solicitation of Makavetskaya’s representative, the well-known advocate Harry Pahaniaila and passed a ruling in favor of the newspaper. Harry Pahaniaila managed to convince the court that the articles that had handled “Bandazhewski and Rawkow’s case” and had allegedly damaged V. Tserakhovich’s reputation, the criticism referred not to him personally, but to Belarusian authorities.

On 19 November the police lieutenant Valery Stasiukevich came to the flat of Horadnia journalist Andrei Mialeshka to take the explanation on Pahonia internet site. He said that he could not find the journalist in another way. Besides Valery Stasiukevich

called Andrei Pachobut to the second "discussion" on the phone, but the latter refused to come to the police department.

On 25 November the Chamber of Representatives of the Republic of Belarus rejected the proposal of the deputy Valery Fralow to set aside certain articles of the Criminal Code that provide responsibility for public insult and defamation of president. 65 deputies voted against the proposal, 13 – for it. We should remind that the Criminal Code of the Republic of Belarus includes the section called "Crimes against the order of governing". Article No. 367 – insult of President. Penalties provided: fine, corrective labor, limited freedom or imprisonment for up to three years. There is also Article No. 369 – insult of official, 366 – violence or threat to an on-duty official. These articles have been already used in a number of well-known cases. For instance, last year on the eve of the Presidential election in Horadnia a criminal case was initiated against editor-of-chief of Pahonia newspaper Mikola Markevich and the newspaper journalist Pavel Mazheika, in Minsk – against editor-in-chief of Rabochy newspaper Viktar Ivashkevich. Though the newspapers didn't hit the stand, the journalists were sentenced to different terms of limited freedom. Here we should describe an invention of the Belarusian authorities. They accused the journalists of violation of Article No. 14 of the Criminal Code – attempted crime. Even though such combinations as "attempted defamation" or "attempted insult" sound at least absurd, the journalists were punished with limited freedom. Defending his proposition Valery Fralow emphasized that the abolishment of the Criminal Code articles was necessary for compliance of the Code with the Constitution of the country and referred to its Article No. 22: "All people are equal for the law and have the right to equal defense of their legal rights and interests without any discrimination". He pointed out that at present in the country a certain trend of legal persecution of journalists is being observed. His point of view is that "the articles of the Criminal Code don't let President adequately perceive the situation in the country, depriving him of the feedback in the form of journalist activity". And the majority of the deputies didn't support the draft law…

On 26 November the journalist of Ivatsevichy independent Gazeta Dlya Vas newspaper from Biarosa (Berastse region) Tamara Shchapiotkina was fined by the court. She managed to photo the participation of the Prosecutor Office Employees in the illegal trading of cigarettes on the local market. The representatives of the advocacy and Prosecution Departments that were on the photo accused the 50-years-old former teacher of Russian language of "swearing". Judge Mazul took the side of "his counterparts". The consideration lasted 4 hours in a quite original manner. As it turned to be, Tamara Schapiotkina used swear words to insult only the head of the legal

consultation department Natallia Litvinchuk, and the assistant prosecutor Aksana Hardzeyenka was just a witness. In spite of the testimony of the police officer who "did not hear anything" and other proofs, the judge took the resolution to fine Tamara Schapiotkina for 11 000 Belarusian rubles.

In the end of November the editorial staff of the newspaper Mestnoye Vremya that had been only issued for several weeks received a written notification of liquidation. According to the official version the reason was revealed legal inaccuracies in the edition's registration documents. The official notice of liquidation of the newspaper as a legal entity was submitted to Editor-in-chief Anatol Huliayew by Minsk Regional Executive Committee where the newspaper had been registered. In a private talk with Huliayew M. Padhainy said that the newspaper's registration had been annulled by his Ministry as well. Anatol Huliayew says that even if one believes the official version, the newspaper has been liquidated illegally, and the real reason for this was an order of the authorities. The main aim of the newspaper Mestnoye Vremya was to cover the events in the country's regions. Only three numbers were issued, but even for such a short period the newspaper managed to show its independent, democratic position, as a result of which the authorities started to throw obstacles in its way. Head of Juridical Information Center at Belarusian Association of Journalists Mikhail Pastukhow thinks that one of the possible reasons for the newspaper's liquidation could be the beginning of the electoral campaign for Local Soviets. The founders of Mestnoye Vremya intended to protest in court against the decision of the authorities, but said that the newspaper would incur losses regardless of the court ruling.

On 10 December Iryna Hermanovich, acting editor-in-chief of Belaruski Chas newspaper, quit her job. Belaruski Chas is published by the Belarusian Federation of Trade Unions. Iryna Hermanovich has been the acting chief editor since the dismissal of Aliaxandr Starykevich. Since 11 December the rest of the editorial staff has received only a quarter of their wages. Chairperson of the Trade Union federation Kozik has recently appointed L. Balashova editor-in-chief. Balashova stated everything was done in compliance with law. However, many of the editorial staff said that Kozik and Balashova were just trying to get rid of the rest of the "old" newspaper staff, who didn't want to serve the policy of the new trade union officials.

On 10 December journalists of the closed newspaper Mestnoye Vremya held in Vilnius a press conference for Lithuanian journalists. The press-conference was dedicated to the freedom of speech situation in Belarus. A. Huliayew, editor-in-chief of Mestnoye Vremya, his deputy A. Koktysh and BAJ vice-president E. Melnikaw visited Vilnius. "They

are doing away with the most successful regional media, -- said A. Koktysh, -- Mestnoye Vremya covered the regional affairs, Novaya Hazeta Smarhoni (Smarhon), Regionalnye Vedomosti (Horki), Intex-press (Baranavichy), and other editions had huge problems with the authorities. Belarusian journalists reminded their Lithuanian colleagues about criminal persecution of Pahonia and Rabochy journalists, and about the new draft of the Law on Press, which further restricts the rights of non-state mass media.

On 17 December the editorial staff of Mestnoye Vremya filed a suit against Minsk Regional Executive Committee. The journalists decided to do it after they had explored all other options of keeping up the edition: in the beginning of December the editorial staff filed a complaint with Minsk Regional Executive Committee demanding renewed registration to the public company Mestnoye Vremya-Press. According to the law, the committee was to have given its answer in 10 days. When these 10 days passed, the editorial staff applied to court, calling silence of the officials “foul play”.

On 19 December Orsha non-State TV-company Skif was found guilty of violation of rights of Orsha citizen Yury Konyshka by its refusal to broadcast on its airwaves the announcement about commemoration of repression victims on 2 November (traditional Commemoration day, Dziady). The court obliged the open joint-stock society Harant that owns the TV-company to return Konyshka’s money for the announcement, as it was not broadcast. At the same time, Judge Natallia Tsiumentsava found the plaintiff’s claim to compensate him moral harm politically groundless as the commemoration of the Soviet regime’s victims wasn’t authorized by the present one.

On 23 December Head of BFTU L. Kozik’s suit against the Narodnaya Volia newspaper was turned down. The ground of the suit was several publications where L. Kozik found the insult of his honor and dignity. But the prosecutor office having considered the articles did not find the elements of the insult. The articles described the mechanisms of electing Head of FPB L. Kozik to his position.

RELIGIOUS FREEDOM VIOLATIONS

At the end of 2001 the Belarusian radio stopped broadcasting the program Voice of the Soul. Hosted by the Red Church priest Uladzislaw Zavalnyuk, this weekly program was popular with many thousands of listeners throughout the country. According to the radio company management, numerous requests of those who do not like the broadcast had caused the program to be banned. In fact, the decision is yet another attempt to incite interdenominational hostility, an unconstitutional action aimed, either deliberately or not, to convert the Catholic believers into citizens of an inferior kind. The Voice of the Soul had been closed down several years ago but was resumed following the collection of many thousands of signatures requesting the program's return. And right before the presidential election, the air-time had even been doubled...

On 2 January Vitsebsk residents requested the local authorities stop the spread of Catholicism in the region. Signing the petition, more than 170 residents of the city were sure their kids are being lured away from Orthodoxy into Catholicism. Mikalai Stsiepanienka, head of the religions and nationalities department in the regional executive committee, was sure of such opinions promoting interdenominational hostility. That's why he reminded about the penalty facing those violating the constitutional right to religious freedom.

In March Viasna has got hold of a very interesting document – On state financial support of some public associations. The document, signed by Ural Latypov, head of the President's Administration, was meant for Lukashenka. As it becomes clear from the document the Belarusian Board of the Eastern Orthodox Church and some youth organizations (like the pro-Lukashenka BPSM) are financed by the state as "the members of these organizations are the stable supporters of policy of the President of the Republic of Belarus; they actively supported You on 9 September 2001". As regards Belarusian Board of ROC, financing it from the state budget is a direct violation of the Belarusian legislation. According to Art. 16 of the Constitution of the Republic of Belarus, all religions and denominations enjoy the same legal status. According to Art. 7 of the Law On freedom of religion and religious organizations, "the state does not lay any of the state functions on religious organizations, and does not interfere with their activities, if they do not contradict the legislation. The state does not finance activities of religious organizations. Religious organizations do not perform state functions". State financing of the Belarusian Board of Russian Orthodox Church stands against the background of discriminative and insulting statements about other religions, traditional in Belarus,

which are made by state-owned mass media. Such actions do not promote tolerance in society and might provoke a religious conflict.

On 31 May the House of Representatives adopted in the first reading the new law "On religious freedom and religious organizations". While drafting the law, the authors chose to ignore almost all of the amendments (apart from those eliminating style flaws), proposed by religious denominations. The draft had taken into account none of the numerous letters and commentaries sent in by ordinary believers and leaders of the religious communities alike.

On 12 June 2002 Belarusian citizens founded a civic initiative "For Freedom of Religion". The initiative was created to draw public attention to the new law "On Religious Freedom and Religious Organizations" adopted on 31 May by the House of Representatives in the first reading. The opinion of religious associations was not taken into account. There was no public discussion of the new law, either. According to many religious organizations, the provisions of the new law do not correspond to the Constitution and the international obligations of the Belarusian leadership. If adopted, the law will violate the rights of believers which are guaranteed by Art. 31 of the Constitution. The aim of the Civic Initiative is to defend the rights of believers and to preserve the tradition of tolerance and freedom, which Belarusian lands have been famous for since the 16th century. The Statute of the Great Principality of Lithuania, 1588, Chapter 3 Article 3 says: "Because of considerable differences of the Christian religion in our Republic, and in order to prevent the situations of harmful hostility between people, which we clearly see happening in other countries, we promise for always, for ourselves and our descendants under oath, faith, dignity and our conscience: whatever different we are in our faith, to keep peace among ourselves, not to spill blood because of different faith, and not to punish anybody with alienation of property, insult, arrest or banishment, and not to assist any authorities or government in similar actions…".

On June 27 the House of Representatives Палата adopted in the second reading the law On Religious Freedom and Religious Organizations which had been heavily criticized by several Belarusian denominations. It passed by a vote of 85-2. As suggested by the speaker Vadzim Papow, the bill was not discussed before going to the vote. None of the critical amendments had been heeded by the deputies. Deputy Volha Abramava left the parliament room as a sign of protest.

In June and July the Church of Evangelical Christians "Grace of Jesus", situated in Krupki, Minsk region, came under heavy pressure from the local authorities. At first, the

group was accused of illegal seizure of the land, where they build the church building. When the right of user was confirmed with documents, a special commission made several visits to the group in order to measure and re-measure the piece of land. In June deputy chairperson of the district executive committee Dzmitry Karan visited the church Sunday school and noted the names of all children who go there. The persecution started back in May when the police officer Barys Hruk burst into Masherava's apartment and demanded reports of receiving humanitarian aid. Masherava replied all the aid was distributed among the needy families. The policeman demanded to open the basement for the search. Having found nothing, he informed, that the police received an application of a local teacher, which stated Masherava had seized the basement without permission. In 2 weeks another policeman, who introduced himself as Siarhei Verabyow, visited the Masheraws. He was very rude, scared Masherava's grandchildren and asked the same questions as the previous policeman. "What is the church doing?", "How much of humanitarian aid does the church receive?", "Where is the church money kept?", "Why is the basement seized without permission?" The visit resulted with summoning Masherava to local administrative commission. The commission obliged Masherava to return the basement and pay a fine of 3 minimal wages for "seizure of communal property without permission". Masherava did not agree with the decision and refused to sign the ruling. On July 10 the third "policeman" visited the Masheraw. This guy introduced himself as Dzmitry Verabyow. He calmly tried to convince Masherava she was guilty and had to pay the fine, and reproached her that she "betrayed Orthodoxy"

On 13 July about 20 members of Hindu group, dressed in ritual clothes, walked down Matusevicha Street in Minsk. They headed to Druzhby Narodaw park, where they planned to carry out an event. However, the group was violently stopped by the police. Some of the group members were arrested.

On 23 July the Berestavitsa district executive committee (Horadnia Regions) ordered the destruction of the church in the village of Pahranichny. By 25 July the church was to have been demolished. The authorities deferred the “dismantling” (the word used by Ms. Hancharova, executive committee deputy chair for construction) to 26 July. In the morning about 60 believers gathered in the morning of 26 July to defend the building of Belarusian Autocephalous Orthodox Church. Two lifting cranes, bulldozers and a pneumo-compressor chisel hammer approached the church building. A bus full with workers brought up the rear. There were lots of policemen, special service groups, also from Horadnia. KGB agents recorded everything with video-camera. The most cynical was the fact, that priest Yan Spasiuk was asked to pay the cost of his church demolition. Church defenders, mostly young people, stood on the top of the building. Two of them –

member of unregistered Confederation of Acting Groups "Together" – Dzmitry Ramanowski and Mikita Pawroz chained themselves to the church columns. Parishioners from surrounding villages sat around the periphery of the building, holding icons and singing prayers. The police detained 3 people, among them 2 journalists: Valery Shchukin from "Narodnaya Volya" and Andrei Pachobut from "Glas znad Niemna". They were accused of violation of the regime of being in the border zone. Deputy head of Berestavitsa district executive committee Piotr Dudzko and head of commission for building Halina Hancharova were in charge of the whole thing. When the workers came and saw the building they were supposed to destroy was a church, they refused to implement orders of the officials. Having discussed the situation, the workers went on foot back to Berestavitsa. Piotr Dudzko went to the town and brought another 3 workers to the conflict place. However, seeing the church defenders, they also refused to work.

Dudzko, then Hancharova, and then the police left the "battleground", one by one.... The church in Pahranichny would have been the first BAOC church in the country. The authorities do not recognize the Belarusian Autocephalous Orthdox Church as they do not want to infringe the monopoly of the Russian Orthdox Church in Belarus. So they ordered the demolition of the church which was to have opened on 2 August.... On 28 July (Sunday) the building of the Belarusian Autocephalous Church was surrounded by the Berastavitsa police. The police burst onto the church premises having taken advantage of the confusion within the defenders' ranks after the church priest Ian Spasiuk fainted during the talks with the local authorities. Father Ian Spasiuk's health is a matter of concern. During that day an ambulance was called in twice. The second time, taking into account the hypertension stroke, the doctors proposed the sick priest be hospitalized. Considering the recent developments, Father Ian refused to be taken to hospital.

On 24 July the Frunzensky District Court of Minsk found Tatiana Akadanova the leader of Light of Kaylas, a Minsk-based Hindu group, guilty of organizing an unauthorized demonstration and fined her BYR 1.5 million (about $825). The other detainees were fined around 200000 rubles. The convicted Hindus believe the verdicts to be illegal and unfair. The Hindu community applied to the city executive committee requesting permission for a rally at Kastrychnitskaya Square to protest against religious persecution in Belarus.

On 28 July In Pahranichny (Berastavitsa district, Horadnia region) local police detained members of human rights organizations and journalists: Siarhei Malchyk (Viasna, Horadnia), journalists Uladzimir Khilmanovich and Valery Shchukin. They came to Svislach because of the conflict between believers of Belarusian Autocephalous Orthodox

Church (BAOC) and authorities. On 28 July 2002 the court considered the administrative case of the arrested human rights activists and journalists. Berastavitski district court judge M. Panok grossly violated the right of the arrested to defense. He rejected their requests to invite a defense lawyer for the trial. The judge has also made a number of procedure violations. The witnesses – policemen – who testified against the defendants were present in the courtroom during the whole trial. Pahranichny is situated on the very border of Belarus, that was the official reason for the arrest. The court ruled to fine Siarhei Malchyk and Uladzimir Khilmanovich 50,000 rubles each (Art. 184 of the Code of Administrative Infringements – violation of the state border regime). Journalist Valery Shchukin was charged under Art. 166 of the Code of Administrative Infringements (insubordination to legal demands of a policeman). He was found guilty and sentenced to 15 days in jail

On 30 July Pahranichny was visited by the Harodnia top officials, representatives of the Orthodox Church Board and the journalists of the state-owned mass media. The purpose of the delegation was to persuade the people into stopping the defense of the church and collect materials compromising Y.Spasiuk.

In the evening of 1 August police surrounded the church and border guards ringed the village to allow demolition crew to destroy the temple. Using floodlights the demolition crew continued until 2 a.m. On 2 August early in the morning believers started to gather near the church, with the police preventing them getting close to it. At lunchtime the demolition continued. Then they went on to destroying the house of the priest’s family...

On August 9 a number of Belarusian Krishna societies had to apply to Minsk Tsentralny borough court with the demand to obligate the Committee on religions and nationalities at the Soviet of Ministers to register the republican association of the believers who belong to this confession. Belarusian Krishna believers think that the refusal to register their organization is illegal and groundless. For instance, the claims of the authorities to Belarusian adherents of Krishna Consciousness correspond with the new law about freedom of consciousness and religious organizations. This law hasn’t been enforced yet as it hasn’t been approved by the Council of the Republic and signed by the President. Chairman of the abovementioned committee Buko and Head of the department of religions Kalinau demand from founders of the new association the norms that limit the believers’ rights and don’ correspond with the present legislation – for instance, to include in the statute the norm that the association can act only if it has not less than 10 registered local societies each of which has not less than 20 people. This

demand is obviously based on the new draft law as there's no such norm in the acting law about denomination. Besides, the committee for some strange reason refuses to acknowledge the legality of the juridical address of the association of Krishna Consciousness, officially and legally given to this religious organization by Minsk Tsentralny borough administration. The authorities obviously have a preconceived attitude to registration of the Krishna believers. Behind the legally groundless requirements is the desire to prevent the activities of the Krishna Conscience group as a legal entity.

The press release of Minsk society of Krishna Consciousness concerning these events points out that it's not the first case of illegal actions of the State towards the confession. The Belarusian believers have been deprived of the possibility to meet with their foreign brothers for three years already as only a registered religious association can invite foreign priests. On May 10, 2001 the Belarusian Krishna believers submitted to the Committee on religions and nationalities all the necessary documents for registration. Then they had to spend 14 months correcting them in accordance with the groundless demands of the Committee. In such a situation, the Belarusian Krishna believers had to take the matter to court demanding the Committee on Religions finally give an answer, positive or negative. On July 4 the court supported the demand of Krishna societies to give them an answer concerning the question of their registration. It was obviously negative. It is indicative that even getting a negative answer involves a court ruling.

On 17 August about 2 p.m. Minsk police detained 12 members of Hindu community. Hindu believers held an unauthorized picket in the center of Minsk, protesting against the new draft law on religions, which gives Orthodox Church a special status in Belarus. Protesters believe it is illegal to put followers of "untraditional" religions to trial. Wearing black traditional garments and holding placards that read: "Stop State Orthodox Terror," "Freedom for Minority Faiths," and "Hands off Religious Minorities," the believers demanded to stop harassment of religious minorities and to register their community. The action participants sang religious songs. After a short picket near McDonald's restaurant, the action participants headed to Kastrychnitskaya Square. Special police units waited for them at the Square. Unwilling to leave the place, the protesters sat down on the pavement. They were dragged into the police buses one by one and taken to Tsentralny Borough Police station. In the evening all of the arrested were released.

On 3 September Tsentralny borough court of Minsk heard the case of Siarhei Akadanaw, "Shiva-Sacta" priest. He was charged with participation in an unauthorized picket on 17 August near McDonald's restaurant and Kastrychnitskaya Square. Siarhei Akadanaw was sentenced to 10 days in jail.

Akadanaw's wife, Tatsiana Akadanava, was also found guilty and sentenced to 10 days of arrest. Siarhei and Tatsiana went on hunger-strike.

Zmitser Alisevich and Alaksei Ramanchuk, members of "Shiva-Sacta" received the same sentences. At present 4 of the detained picketers are behind the bars. Other picketers still wait for trials.

On 10 September at the checkpoint Piaschatka (near Harodnia) on the Polish-Belarusian border arrested was Edvard Matskievich, a Catholic priest and Polish national, who was going to Rostov-na-Donu. Rev. Edvard Matskoevich was sent back to Poland. Belarusian border guards told Father Matskievich that his church in Rostov had been closed, and all checkpoints, after consultations with Minsk and Moscow, received orders not to let him enter Belarus. The Belarusian border guards also put a stamp in the priest’s passport rendering it invalid for foreign travel. It is worth mentioning that barring Catholic priests from entering Russia and Belarus has become a vicious tradition. It started almost three years ago with the deportation of the Polish citizen Zbigniew Karoliak, a Biarestsie priest who had been made to leave for his homeland. In June Russia refused entrance to the Catholic priest and Italian national Stefan Caprio who worked in Vladimir, and the Polish citizen Jerzy Mazura who had been planning to work in Irkutsk. On 11 September almost all of the Polish media reacted to the incident with the priest Edvard Matskievich calling it a real “cold war” against the Catholic church.

On 23 September the leaders of the four Protestant communities in Belarus addressed the deputies of the Council of the Republic with an open appeal calling for turning down the discriminating law on the freedom of conscience and setting up a reconciliation committee to amend it. Moreover, the Protestant leaders released a statement requesting to stop the Protestant-baiting in the state-owned media.

September saw the publication the White Book, which is a collection of the official information, connected with the draft law "On Religious Freedom and Religious Organizations". "White Book" issued by Public initiative "For Freedom of Conscience" was a peculiar public reaction to the adoption of the new law "On Religious Freedom and Religious Organizations". This initiative emerged on June 12, 2002, aiming not to allow religious discrimination in society. It consists of representatives of different nationalities and denominations. "White Book" is a collection of the official information connected with adoption of the law "On Religious Freedom and Religious Organizations" by the House of Representatives of the Republic of Belarus and media coverage of this issue. As the foreword has it, the editors aimed at "raising public awareness of the problem and withstanding those who want to obscure the issue". The compiler and editor of the book

is President of the religious association of denominations of progressive Judaism in Belarus Iakau Basin.

Minsk Savietski borough court rejected to consider a libel suit filed by the Union of Evangelic Faith Christians against the editorial staff of Narodnaia Hazieta, Naviny Staradarozhchyny and the journalist Nina Ianovich saying that the information distributed by those periodicals was based on scholarly research. Below we print an excerpt from the suit: "In 2002 Narodnaia Hazieta published articles by N. Ianovich: "Obscure Death of Ihar Arlouski, or Who Is Responsible for Mother's Tears?", January 25, 2002 (this article also appeared in Naviny Staradarozhchyny on August 3, 2002); "Pentecostals Are Efficient at Turning People into Zombie, or How Mother and Son Sold Their Flat and Gave Money to… the Sect", June 6, 2002) where the author, analyzing certain events and activity of denominations of Evangelic Faith Christians (Pentecostals) deliberately distorts information. For instance, N. Ianovich accuses Pentecostal believers and priests of adverse influence on people's minds resulting in derangement, in "sacrifices" by poisoning, and overall harm to society. Calling Pentecostal denominations "sects" and using distorted facts to negatively characterize them (Nasha Spravka, articles of January 25, 2002 and August 3, 2002), N. Ianovich deliberately forms a negative image of Pentecostals, foments religious intolerance and enmity toward the citizens who are members of our denominations". Having considered the suit, Judge H.L. Dashuk ruled: "As understood from the suit, the Union of Evangelic Faith Christians challenges as scientifically biased the facts mentioned in the article "Pentecostals Are Efficient at Turning People into Zombie" dated July 16, 2002 … Considering the above… the suit is rejected"... We should remind that it is not the first suit by Evangelic churches against Nina Ianovich. In 2000 several Minsk Evangelic churches filed a libel suit against the article "Belarus Is Endangered by the Prospect of Turning into a Protestant Republic or We Are Insistently Pushed to Deception of Our Ancestors' Faith" (April 19-20, 2000). The same judged considered that suit and also refused to institute a case against the journalist, saying that the published information was purely scientific.

On October 2 the Chamber of Representatives of the National Assembly of the Republic of Bielarus adopted the law “About Religious Freedom” by overwhelming majority of votes. 46 deputies voted for the law, 2 – against it and 4 abstained from voting. On this day Vasil Yurevich, the administrator of the New Life church, came to the walls of the Parliament. He had a transparency against the odious draft law that was being considered in the Council of the Republic. In a half an hour the police detained the believer and took him to the Maskowski borough court which issued him a warning.

On October 18 Minsk Central borough court refused to register Central denomination of Krishna consciousness. The alleged reason for this was the wrong legal address of the organization. Krishna believers consider this decision as unjust and politically motivated. According to the recently adopted law Krishna followers have inconsiderable chances for registering their center in Belarus, as this denomination has acted in the country for less than 20 years. That’s why they are preparing to pursue their activities in a semi-clandestine way.

On 31 October President Alexander Lukashenka signed the law on freedom of consciousness and religious organizations. A number of law provisions contradict the norms of international law, the Constitution of the Republic of Belarus, as well as the Civic and Housing Code of the Country, and the law on press. Many norms of the new law have no prescribed mechanism of implementation, giving the reason for biased actions of the officials in the sphere of registration and activity assessment of religious organizations. The preamble of the law names the denominations, which have the priority right to development. The statement of the Civic Initiative "For Religious Freedom" says: "We are especially concerned about the situation of the citizens, who practice a religion together, but do not wish to get a status of a legal entity. Under the new law, such citizens can be held responsible for an administrative offense". Actually, the law obliges a citizen to declare his or her faith. This way the "state imposed strict control over the spiritual life of every person". The new law signed by Alexander Lukashenka will attack "the most delicate and inviolable sphere of citizens' life. That might lead to religious de-stabilization in the society"

On November 8 in Minsk Siarhei Pezkin and Ihar Zakrewski held an action of protest against the discriminatory law “On Religious Freedom and Religious Organizations”. Pezkin and Zakrewski started their action at Yakub Kolas Square and finished it at Independence Square. They went along Skaryna Avenue wearing the posters that looked like prison clothes, with the inscriptions “The new law on religions is a return to the dark ages”, and “The National Assembly has defamed itself with the law on religions”

On 10 December Minsk Frunzenski borough administration of Minsk gathered heads of religious communities registered in the borough. At the meeting they were informed about the new legislation in the sphere of freedom of consciousness. Ala Rabitsava, head of the department on religious affairs at Minsk administration, was present at the meeting. She informed the meeting participants that, according to the new law, Bible study home-based groups can be conducted only with permission of local authorities. She explained that such Bible study home groups are given the same status as public worship.

Rabitsava announced, private houses and apartments of citizens do not have the status of places, especially meant for such events, that is why they should be conducted only with permission of the authorities. According to Dzina Shawtsova, lawyer of the Jesus Christ Church home groups, i.e. weekly meetings of believers at home of one of them with the purpose of prayer and Bible study, are one of the basic kinds of worship in Evangelical churches. Today, owing to "efforts" of Ala Rabitsava, in particular, a number of Evangelical churches, which do not have their own buildings, are deprived of the possibility to rent halls in Minsk. Now they are forced to gather only in home groups. However, this possibility also became dependent on the will of this or that official. Moreover, we consider such practice openly unconstitutional and not in compliance with international standards in the field of freedom of consciousness. At the meeting we also heard the definition of meetings which will be considered "mass" ones. According to Ala Rabitsava, "mass" means gathering 10 or more people. At the same time the chairperson of the Committee on Religious and Ethnic Affairs gives quite different figures – 100 or more people. Vagueness of norms of the new law makes local officials free to interpret them. In concrete situation such freedom leads to direct restriction of citizens' rights"

LINGUISTIC AND NATIONALITY-BASED DISCRIMINATION OF BELARUSIAN CITIZENS

On 4 March a mourning meeting, dedicated to 60th anniversary of the mass slaughter of Jews in the Minsk ghetto, took place in Minsk. On 2 April 1942 6,000 Jews were killed by Nazis. The people present at the mourning meeting at the place of the slaughter, the so-called "pool", said that disgraceful events recur in our time, also in Belarus. During the Second World War 800,000 Jews died in Belarus. Our days became the time for the second significant decrease of the Jewish Diaspora. According to official data, recently 30,000 Jews left our country. About the same number of Jews stayed. The mourning meeting in the "pool" also demonstrated the significant decrease of Jewish population in Belarus. Only a few hundred people came to the place of mass slaughter of their kinsmen this year. Although in 1980's thousands of Jews gathered here. Besides that, recently Israeli government simplified the procedure of repatriation. Possibly, there will be even fewer Jews left in Belarus.

In mid-April the secondary schools of Belarus received a circular letter signed by the minister of education P. Bryhadzin. According to this document the Belarusian literature is excluded from the list of the obligatory exams a pupil has to pass at the final exams. So, the last stimulus for learning and speaking the Belarusian language is not there any longer. Before this, the pupils had to prepare themselves to the exam, to read and retell the works of literature, learn verses by heart. Now they don't need to do this. Having made short work of the language at the referendum of 1995, the authorities proceeded to the literature, using the same Jesuitical methods in order to make people "independently" refuse from everything national, so that it doesn't seem that the authorities defy the Belarusian books, but ordinary people.

In the beginning of May editors-in-chief of the magazines Polymia, Maladosts, Krynitsa, Nioman were fired. All these magazines that used to be independent ones, now have become parts of one "collective farm" - an establishment headed by the deputy of the Chamber of Representatives Siarhei Kastsian, wide-known for his Slavophilic and communistic views. It was Minister of Information who appointed him on this position on Lukashenka's proposal, cynically violating the law "On Press", statutes of the editions, the rights of their founders… The "comrades" who demonstrate loyalty to the regime, replaced the liberal editors.

On 2 May the whole editorial staff of the Krynitsa magazine retired from the edition to protest against the self-will of the authorities who appointed new editor-in-chief

without any agreement with the edition's founder, Union of Writers. On that day the sitting of the extended Board of the Union of Writers took place. The Board decided to distribute a statement that annihilation of the national culture, education and literature is inadmissible.

On 2 July, on the eve of the day when Belarus was cleared from Nazis, 30 RNU members freely walked along Horadnia streets. Police kept an eye on the people in black uniforms, but behaved surprisingly calmly. When indignant people came to Horadnia Leninski Borough Board of Internal Affairs, the policemen explained that "guests from Russian and Ukraine" came to Horadnia for an excursion" and there were no reasons for detaining them, as they behaved correctly and walked along pavements. The policemen didn't mention the most interesting detail: the RNU members wore black uniform with Nazi symbols, demonstrating the immortality of New Order ideas. At the same time, participants of any actions organized by the opposition, participants of pickets in defense of the speech liberty, are usually arrested.

On 11 July Aleh Trusaw, Chairman of Frantsysk Skaryna Belarusian Language Society, proposed the Belarusian authorities to adopt the Law "On Languages in the Republic of Belarus" that met the widely accepted democratic norms. BLS Head thinks that the new law is to correspond to the standards of UNESCO Universal Declaration about Cultural Divergence. This law should oblige all officials to have command of the two State languages, speak and write in them without mistakes. Aleh Trusaw also proposed to define the cases of usage for Belarusian, Russian and English languages and the languages of the neighboring countries, Lithuania, Poland and the Ukraine.

On 23 July the Union of Belarusian Jewish Public Associations and Societies applied to Presidential Administration, the Prosecutor's Office of Belarus and the Committee on Religious Affairs concerning the numerous vandalism acts on Jewish graves. The appeal states that "the facts of anti-Semitism and neo-Nazism in Belarus became widespread". In July 2002 alone 40 Jewish graves were destroyed in Uskhodniya cemetery, about 20 – in Pawnochnyia cemetery. Photos of anti-Semitic graffiti made in the cities of Horadnia, Pinsk, Barysaw and Minsk were attached to the appeal. Belarusian Jews asked the authorities to take the appropriate measures. In his interview after the joint Board of the Economy and Trade Ministries' sitting Aliaksandr Lukashenka called destruction of the graves "hooliganism that could be made by anyone". He explained that 2 million of people cross the Belarusian border per day. To his mind, these people could have relation to the acts of vandalism.

In the beginning of August President of the Universal Association of Belarusian Jews Iakaw Hutman applied to Vladimir Putin, President of the Russian Federation, with an open letter. In this letter he accused Lukashenka's government of anti-Semitism. "There's little hope that, maintaining friendship with Lukashenka, Russia will be considered a civilized country, ", -- wrote Hutman. He thinks that in this situation it will be difficult for Putin to keep friendly contacts with Tony Blair, George Bush, Francois Mitterrand and Gerhard Schroeder. In the beginning of his letter Hutman listed the most recent anti-Semitic actions in Belarus: destruction of a Jewish graveyard, ruining of the old synagogue building in Dzimitraw Street in Minsk, building of a car-parking facility in Niamiha Street where there had been a synagogue, Lukashenka's admiration for Hitler. Applying to the Russian President Iakaw Hutman expressed his hope that the President will manage to stop the Belarusian Taliban that ruins temples. He also reminded that Israel has already closed its Embassy on the territory of Belarus and expressed the thought that the USA has preserved the amendment of Jackson-Vernick, introduced in the times of Soviet Union for trade with anti-Semitist countries for the Russian Federation because of the friendly relations of the latter with Belarus.

On 18 November Vitsebsk Regional Court started consideration of the first criminal case (initiated in March 2001) against a skinhead group that beat students from Asia and Africa. Three teenagers and one adult could receive up to 15 years of imprisonment. They were also accused of "assault and robbery" committed on five occasions. All in all, the group of Vitsebsk skinheads consists of about 40-50 members.

In November 75 of 109 the Chamber of Representatives' deputies applied to President Lukashenka, demanding to stop destruction of Jewish cultural and religious sites in Minsk, but didn't receive any answer.

On 13 December Vitsebsk Regional Court finished the trial over four skinheads charged with fomenting of national enmity (Article No. 130) and robbery (Article No. 207 of the Criminal Code). The investigation was carried out by Vitsebsk Regional KGB Board. The teenagers were charged with three counts of beating and robbery of students from India, Nepal and Lebanon. The Collegium of Vitsebsk Regional Court chaired by Valiantsina Buyeva found the seventeen-year-old Siarhei Aksionaw, Yury Bachurka, Uladzimir Khvedaraw and the eighteen-year-old Siarhei Kamiankow guilty of robbery and deliberate violent actions aimed at fomenting of racial and national enmity, insult of national honor and dignity. The most lenient sentence was given to the 11th form pupil of secondary school No. 2 Siarhei Aksionaw – 3.5 years of imprisonment at a young delinquents penitentiary, the hardest – to Siarhei Kamiankow – 6 years of imprisonment

in prison. The advocates of the defendants intended to appeal to the Supreme Court against the court verdict.

On 24 December artistic intellectuals of Belarus expressed their protest against State anti-Semitism in Belarus in the statement of co-founders of congress of Belarusian intellectuals. Aliaksei Karol, Uladzimir Kolas and Aliaksei Marachkin urged intellectuals of different countries of the world to protest against anti-Semitism in our country. The latest manifestations of anti-Semitism on the State level made the congress founders express their opinions on the matter. “Regrettably, the years after Lukashenka’s election are full of facts of fomenting of enmity between nations and denominations”, -- says the document.

VIOLATION OF THE CIVIL RIGHT TO PEACEFUL ASSEMBLIES AND ASSOCIATIONS

In March Horadnia residents Sviatlana Nekh and Zmitser Ivanowski applied to Horadnia City Executive Committee for permission to organize a number of pickets against the criminal prosecution of Mikola Markevich and Pavel Mazheika, journalists of the independent newspaper Pahonia. A number of pickets had been planned to be held in one of the most crowded place of Horadnia – near the House of Communication. The pickets had a common slogan "I Have The Right!". However, the executive committee, Chairperson Aliaksandr Antonenka and administrator Aliaksandr Kalachow in particular, not only banned the pickets, but also warned the applicants about "personal responsibility in case of unauthorized picketing". At the same time Horadnia City Executive Committee warned the citizens Sviatlana Nekh and Zmitser Ivanowski, that all their further applications would be rejected. This decision was formally motivated by the fact that "the above mentioned citizens repeatedly violated the legislation, when organizing various public actions". Sviatlana Nekh and Zmitser Ivanowski intended to appeal to court against the decision of Horadnia City Executive Committee.

On 23 May Minsk City Court concerned the cassation complaint of the United Civic Party against the decision of Maskowski Borough Court of Minsk concerning the so-called "Commemoration picket of Hanchar and Krasowski". In September 2000 Minsk City Executive Committee prohibited to hold the commemoration picket in the place where Viktar Hanchar and Anatol Krasowski had been abducted. The UCP tries to defend the civic right to hold actions in all city locations (for the recent years the city authorities have transferred places of all opposition actions to Dryzhby Narodaw Park near Banhalor Square). The UCP is of the opinion that Belarusian legislation doesn't provide the city authorities with the right to transfer the action places.

On 11 November Minsk authorities banned the street march "For Independence", which was to take place on 17 November. The official reason for the ban was that the organizers had made a mistake in the application for permission. The organizers stated that the march and a rally would be carried out, no matter what the decision of the authorities was. Minsk City Executive Committee grounded its decision on the fact, that, according to one of Lukashenka's decrees, mass street actions could be organized only by political parties, non-governmental organizations and trade unions. The application for the march and rally on 17 November was signed by a group of private persons, which allegedly contradicted the Belarusian legislation. The action organizers Pavel Seviarynets, Viachaslaw Siwchyk and Siarhei Vysotski held a press-conference. Leaders of Young Front

and Freedom Party claimed, that in spite of the ban and the fact that representatives of a number of opposition parties refused to further participate in the action, they would hold the march and rally down town Minsk as they planned to. The organizers didn't seem to worry, that too few people would come to an event, banned by the authorities. "It wasn't really significant, how many people came to defend the Kurapaty memorial one year ago. Because people who did come managed to do a lot", -- said Viachaslaw Siwchyk.

PERSECUTION OR PROHIBITION OF THE ACTIVITY OF POLITICAL PARTIES, MOVEMENTS AND PUBLIC ORGANIZATIONS

On 15 December the defenders of Uladzimir Shantsaw, Head of Mahilew branch of Lew Sapeha Foundation. On September 6 the financial police confiscated all organizational equipment in the Foundation head-quarters and 2,5 months later allegedly found there information about the Presidential election. As a result the police reported about violation of Presidential Decree No. 8 by Uladzimir Shantsaw. As a result the court found him guilty of usage of foreign humanitarian aid during the election and ruled to confiscated the equipment and exact from the defendant 100 minimal wages as a punishment. Uladzimir Shantsaw says that the court decision is illegal and refers to a great number of violations. He states that the law machinery made no steps in this case that could be considered as completely legal. All the violations were described in the papers, submitted to Mahilew Regional Court.

On 25 January 25 Homel Chyhunachny District Court found Chairman of Homel Regional Public Association Public Initiatives Viktar Karniyenka guilty of having violated the third part of Article No. 4, Decree No. 8 On Certain Measures to Development the Order of Receiving and Using Foreign Gratis Aid. Judge Hanna Novik found Mr. Karniyenka guilty of having used computer equipment to prepare for the Presidential election". In her ruling she decided that five computers and two printers that belonged to Public Initiatives and weren't humanitarian aid should be confiscated. She violated the legal formalities and fined the accused one million rubles. It's worth mentioning that Homiel Regional KGB Board workers confiscated all these items on 13 August 2001 in Karniyenka's private house.

On 8 February the Supreme Court of Belarus confirmed the legality of the warning issued to the Belarusian Party of Communists by the Ministry of Justice in November 2001. The BPC leader Siarhei Kaliakin explained the sense of the warning in this way: "The Ministry of Justice claims that the seal we have used since 1996 doesn't meet the standards: the sickle seems to them wider that it should be and hammer, one the contrary, too thin". The political motivation is obvious: it is necessary to issue one warning to the party in order to liquidate it any time within a year by a second one.

On 4 March the Prosecutor's Office of Belarus refused to investigate the robbery of the office of the Belarusian Union of Businessmen (several weeks before that unknown persons stole from there office equipment, including two computers with important

data. President of BUB Aliaksandr Patupa thinks that the law machinery is simply reluctant to execute their duty.

On 4-5 March Berastse Regional Court considered the suit of Berastse Regional Executive Committee about closing down the regional center of civic initiatives support Vezha. Justice Board of Berastse Regional Executive Committee had issued 2 official warnings to Vezha (dated 30/09/2001 and 05/10/2001). For example, on 19 September 2000 Vezha sent a letter to the Justice Board. The letter had contained the name of the NGO, which was a little bit different from the officially registered name. Instead of "Brestski" it was written "Berastseiski" (both meaning "of Brest" (the name of the city in the Soviet style of writing). In the address of the NGO it was written "Berastse" instead of "Brest", which didn't correspond to the NGO's statute. (There is only a linguistic difference in both names. The former is the so called "old Belarusian writing", which was changed into the "new Belarusian writing" by communist authorities in the middle of 1930's, with the only purpose to make it "more Russian-sounding". Modern Belarusian speakers usually prefer the "old" one, as the one, closer to the real language. Both are perfectly well understood). During the presidential election campaign, Vezha activists conducted a survey, asking Berastse residents their opinion about the candidates. The Justice Board stated that the survey contradicted the NGO’s declared mission statement. Vezha's newsletter Kaliva published information about different NGOs, including unregistered groups and initiatives, like Young Front and Brest history and the culture club Dzedzich. The Presidential Decree "About regulating the activity of political parties, trade unions, and non-governmental organizations" prohibited publishing information about unregistered organizations. This was the reason for the second warning to Vezha. During the trial the prosecutor was very interested in the activities of the Brest regional branch of Young Front and Dzedzich. He asked how many members the organizations had, and who they were. The prosecutor also categorically protested against the words of one of the witnesses, who said, "the disabled and single mothers are socially unprotected groups". Then the court went on to the Legal clinic, organized by Vezha. The legal clinic gave free legal advice to Berastse residents. The court decided to summon new witnesses and to examine Vezha's archive. The trial was postponed.

On 12 March Berastse Regional Court ruled to close Vezha.

On 26 March the press-center of Charter'97 informed the mass media about regular hacker attacks on its web site. For several days hackers deleted from the site news in Russian, Belarusian and English. "This could be possible only with usage of resources of the State company Beltelekam", -- was said in the statement of the press center.

On 2 May the leader of the United Civic Party Anatol Liabedzka called the warning issued to the UCP by the Ministry of Justice "purposeful persecution". The UCP was warned for A. Liabedzka's article Return the Stolen, published in the end of April in the newspaper Narodnaya Volia. This warning established a new precedent: lawyers say it was the first time when a political body was warned for public expression of personal opinion by its member.

On 13 May the Ministry of Justice issued a written warning to Belarusian Charitable Foundation "For Children of Chernobyl". The warning was based on formal reasons. Firstly, the sign on the office entrance had two letters missing: PO (Public Organization). Secondly, the registered symbol of the foundation was in color, the letterheads had black and white version of the symbol. Thirdly, the Justice Ministry official M. Sukhinin argued the procedure of appointing heads of the regional structures contradicted the Statute of the Foundation. "For Children of Chernobyl" Foundation is one of the biggest charity organizations in Belarus sending thousands of children that live in radiation contaminated areas abroad to improve their health. Foundation Head Professor Henadz Hrushavy thinks the warning issued by the authorities has marked the beginning of a new war against the Belarusian democratic NGOs.

On 15 May Presidential Administration put its changes and amendments to the legislation "On political parties and public associations" and "On the order for holding of mass measures" for consideration by session of the National Assembly of Belarus. These changes introduce stricter conditions for holding of mass actions and provide liquidation of a political party for a single violation. Belarusian human rights activists called these initiatives unprecedented in their violence. Members of political parties state that the authorities try to deprive them of their last weapon – mass demonstrations.

On 15 May the Young Social-democrats stated their intention to demand registration through court, because the Ministry if Justice refused to register the organization. By the way, the Ministry answered to the registration application in 4 months, violating the legal term of 1 month.

In May the second session of Homel Economic Court did not make any ruling on the action of NGO Civic Initiatives against Homel Chyhunachny Borough Taxation Committee. Civic Initiatives disputed the economic sanctions worth 2 million rubles (~USD 1,100) that had been imposed on them by Chyhunachny Taxation Committee for the ostensible misuse of a foreign grant. Judge Valantsina Novikava stated she couldn't make a ruling. She said she needed to look through the KGB materials and the administrative charges, pressed against Civic Initiatives.

On the night on 3 June in Maryina Horka (Minsk region) strangers made an attempt to rob the local education center Belaruskaya Khatka (Belarusian House). According to the center chairperson Ales Vaskovich, unknown persons had tampered with the locks on the front door of the office. They broke one lock, but didn't have time to break the other one. Fortunately, Ales Vaskovich was guarding the office that night and was awaken by the noise. The robbers managed to escape in a white Volga car. It was the third attempt to rob the office since the organization came into being three years ago. Besides, representatives of neo-Nazi groups(Russian National Unity and skinheads) made four attempts to smash up the office.

On 12 July Civic Society Youth Center Veras received a letter from Vitsebsk Justice Board, signed by Deputy Chairperson Pranik. Veras applied for registration in April 2002. In spite of the legal term of 1 month, the authorities made Veras members wait for the decision for 4 months. In his letter Pranik informed the center: "the documents in the application contain a number of inaccuracies and do not completely meet the requirements of the legislation". The letter said the main reason for rejection was the word "center" in the name of the organization. Eighteen months ago the Ministry of Justice forbade using the word "center" in NGO names. By the way, this ban violates the law "On public associations". However, the justice department found a number of provisions, which ostensibly contradicted the legislation. For instance, "the organization name has no references to the organizational-juridical form". The lawyers of Veras stated that the organization name Civic Society Youth Center Veras contained sufficient information. One more interesting remark was that the organization statute didn't provide definite order for taking decisions by the governing and the control-revision bodies and the order of appealing against them. Besides, Mr. Pranik decided that the conditions of membership organization (the standard conditions for membership, identical to those hundreds of other registered public organizations had in their statutes). The most interesting was Pranik's statement, that "objectives and methods of the NGO provide for educational activities which are unusual for public associations".

In the beginning of July the Public Association Young Social-Democrats complained to the Supreme Court of Belarus about the refusal of the Ministry of Justice to register it. The Supreme Court didn't satisfy the complaint, but warned the Ministry of Justice for violation of the Law "On public organizations" in the branch of terms for consideration of documents and motivation of decisions. So, the judicial power denied young social-democrats the right of association in any kind, the kind of public association in particular. The organization intends to submit new registration documentation to the Ministry of Justice.

On 22 July Belarusian Social-democratic Party Narodnaya Hramada expressed its protest against the warning issued to Head of Horadnia Regional organization of BSDP NH Ihar Kucharenka. The reason was that in the second half of June and the beginning of July the party held the nation-wide campaign against wage arrears and non-payment of vacation allowances to teachers. In a number of regions these actions weren't authorized.

On 23 July Chyhunachny court of Homel fined chairperson of regional NGO Civic Initiatives Viktar Karniyenka 1 million roubles. Five computers, which belonged to Civic Initiatives, were confiscated. Judgement of young judge Aliaksandr Khomich practically repeated the previous ruling of Judge Hanna Novik, which had been reversed on appeal of the NGO. Both times Chairman of Civic Initiatives was accused of violating Lukashenka's Decree #8. To be more exact, Viktar Karniyenka was accused of using computers, received from foreign sponsors, for organizing independent observation during the election. The computers were confiscated just before the election by the local KGB board. The taxation committee based their report on a letter from KGB. This happened when Civic Initiatives applied to Economic Court with a suit against the local KGB board. The NGO sued KGB for violent misappropriation of the NGO property. Karniyenka and numerous witnesses testify that the equipment was seized with gross violations of the legal procedure. The computers were neither sealed up, nor even identified among other seized computers.

KGB investigator Stsepanenka admitted he had received an official warning for that.

The KGB somehow found information about elections even on computers, which were out of order. Besides that, the limitation period for an administrative case was over. However, all these facts have not distracted the young judge Khomich. Khomich ruled to fine Karniyenka 1 million rubles.

In July the Supreme Court of Belarus rejected the complaint of the United Civic Party against the written warning, issued to the party by the Ministry of Justice in April. The party leaders considered this decision of the court illegal and intended to apply for justice even to international juridical bodies. The written warning was issued to the UCP for Anatol Liabedzka's article "Where's The Money?" where the author asked the authorities about the money from the arms trade by Belarusian officials. The Ministry of Justice considered this question as insult to the President. According to the legislation, one more warning can lead to liquidation of the party. The UCP representatives at trial, Yawhen Labanovich, Siarhei Alfer and Uladzimir Ramanowski tried to prove that the article contained only private opinion of Anatol Liabedzka, not the official party position, as

according to the organization's statute Chairman can make an official statement on behalf of the UCP only on agreement with the party assembly, its political board of National committee. They also tried to prove that only court, not the Ministry of Justice could exercise control over activity of public associations and parties, so only this body could decide about insult of Presidential honor and dignity. Judge Sharoika paid no attention to words of the UCP representatives and rejected the complaint, leaving the warning in force.

On 30 September BelTA news agency, quoting Ministry of Justice as a source, reported denied registration to United Social-democratic Party. The reasons for the denial appear to be contradictory and groundless: alleged absence of some documents necessary for registration, under-aged persons on the list of the party members, etc. However, the party submitted to the Ministry of Justice all the documents required by the present legislation, on 20 September. The Ministry employees did not examine the documents submitted in the presence of the party members. The party leaders, who had not been officially notified of denied registration, requested explanation from Ministry of Justice. M. Sukhinin, head of the appropriate Ministry department, and U. Matsveyew, the lawyer of the same department, dismissed BelTA information as untrue. Actually Matsveyew was put in charge of the registration only on 1 October and would need at least a week to examine the registration application. The officials argued they had no information about the conclusion of the interdepartmental commission that considers registration cases after they are examined by M. Sukhinin. However, on the following day one could understand from the confused and contradictory comments of the Ministry officials that the commission had had a meeting on October 2 and decided not to register USDP.

On 21 November a regular sitting of the Commission on registration (re-registration) of public associations took place. The Ministry of Justice doesn't register public associations without conclusion of this commission despite the fact that the latter one has no legislatively defined status. On 21 November the Commission was to have considered the question of registering the Assembly of NGOs. Lawyers of the Ministry of Justice informed the commission that on the documents submitted for registration as long ago as 11 April (and corrected in June according to demands of the ministry) there were no lacks and mistakes. However, consideration of the question was delayed because of the IV NGOs' Assembly held on October 5-6, 2002. The Commission took the opinion that this event needed a check-up concerning its compliance with the present legislation. The member of the Working group of the Assembly Siarhei Matskevich commented on this situation: "I don't understand why decision on registration of the

Assembly is delayed. The coalition of public associations wants to act legally, but the State puts obstacles to it. In spite of the fact that one can't appeal to court against decision of the commission on registration (re-registration) we will try to solve this problem in a legal way".

On 26 November the Ministry of Justice issued a written warning to the Board of Public Association Frantsysk Skaryna Belarusian Language Society. The warning said: “The Ministry of Justice of the Republic of Belarus found that Lida organization of the Public Association “Frantsysk Skaryna Belarusian Language Society” had erected a memorial cross near the village of Belitsa (Lida district) by which it exceeded the territory of its activity. Belarusian Language Society appealed to court against the warning.

On 5 December the Supreme Court of Belarus considered the suit of the United Social-Democratic Party to the Ministry of Justice that refused to register the party. The supreme judicial instance of the country found the refusal of the ministry completely legal.

On 26 December Homel Regional Court held the first sitting on liquidation of Homel city democratic organization Youth Center Hart. The liquidation suit was filed by the Head of Homel Regional Executive Committee Justice Board Valiantsin Makarevich. The formal reasons were warnings of the board about non-conformity of the legal address of the organization and its real location and violation of Presidential Decree No. 8 that prohibits usage of equipment granted by foreign founders during Presidential electoral campaign. “Hart” was accused of foreign equipment usage for monitoring of the Presidential election last year as a result of KGB actions. Nevertheless, the youth organization hasn’t stopped working, so the justice board decided to liquidate it through court.

PERSECUTION OF HUMAN RIGHTS ACTIVISTS AND HUMAN RIGHTS ORGANIZATIONS

On January 11 A. Pleskatsevich, assistant of Baranavichy Prosecutor summoned Yulia Plotnikava, leader of the local Zubr branch. She was summonsed for a conversation about her statement on the disappeared people, which she had earlier submitted to the Baranavichy prosecutor. Yulia Plotnikava asked member of the Human Rights Center Viasna Uladzimir Howsha to come with her as her legal representative (this right is guaranteed by Art. 62 of the Constitution). However, Assistant Prosecutor A. Pleskatsevich refused pointblank to admit the representative of human rights organization to the conversation.

On February 11 UN Human Rights Committee made the Supreme Court of the Republic of Belarus review the case of Viasna activist Ales Kaputski and cancel the fine. Ales Kaputski, 39, a Maladechna activist of Viasna: "It happened in the autumn of 2000, during the parliamentary election boycott campaign. I was walking home by a local market, and saw agitation materials of the candidates near the entrance to the market. I posted a sticker "Boycott-2000" at the same place. The policemen appeared out of the blue and said: "What are you doing here?" They detained me and took to the police station. I refused to sign their report. They told me to come to the police station the next morning, at 8 o'clock, and they would take me to court. However, in the night I got fever– I became ill". In spite of the illness of Viasna activist, on November 16, 2000 his administrative case was considered. Kaputski was absent during the court session, and that was a violation of the legislation. Maladechna City Court found Ales Kaputski guilty of violation of Art. 167 part 3 of the Code of Administrative Infringements, and fined Kaputski 2 minimal wages. Ales Kaputski appealed against the court decision, but both Minsk Oblast court and the Supreme Court left the previous decision unaltered. Kaputski paid the fine. However, in the spring of 2001 he appealed to the UN Human Rights Committee, and received their reply: Kaputski was found not guilty under international legislation. The Supreme Court had to reconsider the case and to finally cancel the decision of Maladechna City Court. Kaputski got back the money which he had paid as a fine.

On 18 February 2002 Brest regional branch of Viasna was contacted by a citizen, who brought 93 filled in, not cancelled ballot papers, which were left from the local election, constituency # 8, conducted on 18 March 2001. The citizen, who brought the ballot papers, informed Viasna, that he had received them from the members of the election committee in order to destroy them. But he hadn't done it. Chairperson of Brest

branch of Viasna addressed Leninski borough of Brest prosecutor requesting the institution of the criminal case under Art. 192 of the Criminal Code.

The prosecutor reacted and commissioned head of Leninski borough police A. Kastsiuchyk with investigating the case under Art. 174 of the Criminal Code of Practice. On 1 March 2002 2 police inspectors visited the office of Brest Viasna and collected written explanations from the members..

On 28 March – the internet-site of the PA Human Rights Center Viasna was blocked for three days. Before the site became inaccessible, the site had placed the full text of the lawyer Siarhei Tsurko's speech in the case against Valery Ihnatovich, the former MIA special squad Almaz officer, and other persons charged with the abduction of the ORT cameraman Dzmitry Zavadski. On 24 March, on the 84th anniversary of BPR Indepeendence Declaration, the site could not be accessed. Viasna thinks the site was blocked by the special services just as they had done during the presidential election, or attacked by the hackers. Over the same period the Charter'97 site was also repeatedly attacked.

On 18 March the Military prosecutor's office pressed charges against Vera Stramkowskaya, chair of the Center for Human Rights. Ms. Stramkowskaya is charged with Article 403 of the Criminal Code (interfering into witnesses' evidence). The lawyer calls this a planned retribution measure. The whole affair started when Vera Stramkowskaya appeared in court for Mr. Chatsviarukhin, whose wife Nina had been run over on 27 October 2001 by the military prosecutor Kenik's car driven by the son of Mr. Ardziaka, chair of the Minsk City Court. The matter was dealt with by the military prosecutor's office which in December ruled that Ardziaka Junior had not committed anything punishable by law and dropped the charges. In January 2002 Starmkaoskaya and Chatsviarukhin took the matter to the higher court. As a result, the review of and additional investigation into the matter was ordered. On 28 March a police inspector informed Vera Stramkowskaya that the BDIA had received materials for initiation of a criminal case against her from Belarusian Military Prosecutor's office

A member of Viasna Siarhei Zalewski and Chairperson Ales Bialatski were detained on 13 April on their way to Kastsiukovichy (Mahilow Oblast). Ales Bialatski and Siarhei Zalewski were on their way to Kastsiukovichy planning to visit the local Viasna activists. Near Krasnapolle their car was stopped by policemen, whose responsibility was to check if drivers do not smuggle things from the Chernobyl zone. The policemen found Viasna newsletters The Right to Freedom and took a few copies for themselves. Ales Bialatski: "After a while they let us go. However, when we came to Kastsiukovichy district, local

police were already waiting for us. They stopped us and started to wait for the deputy head of Kastsiukovichy district police. He came quite soon, and told one of the policemen to get into our car. We had to follow him to Kastsiukovichy district police board. There they called for the head of Kastsiukovichy police (it was Saturday midnight). The head checked our documents, newsletters, looked through the book "Presidential election 2001". In 30 minutes they let us go. What was the fuss about? It turned out, that on 26 April Lukashenka was going to visit Kastsiukovichy district. So, the local police were just afraid that we had been preparing some unpleasant surprise for him. However, they did not confiscate our newsletters, because their number did not exceed 300 copies".

In July it became known that there were no changes in the registration of the Mazyr branch of the PA HRC Viasna by the local executive committee, though the relevant documents had been submitted as early as 27 May by the branch chair Uladzimr Tselepun. The lawyer Martsinovich had no comments about the documents. But so far the local authorities had given no response whatsoever: is the Viasna branch registered? Nothing changed after Mr. Tselepun addressed the Executive Committee Chair Valiantsin Bandarenak. The petition sent to the prosecutor’s office about the executive committee’s violating the laws on public associations and citizens’ appeals brought about no result. The prosecutor Benevalenski sent the petition back to the same town executive committee.

On 19 August Head of the Center for Human Rights Vera Stramkowskaya filed a complaint with the UN Committee for Human Rights against the Belarusian state. The reason was the violation of the lawyer’s immunity as laid down in the Basic Principles concerning the Role of Lawyers adopted by the 8th UN Congress in 1990. Belarus is a UN founder. According to Article 8 of the Constitution of Belarus, our country recognizes the principles of international law and undertakes to insure the compliance of the domestic legislation. These principles are reflected in Article 17 in the Law on Legal Practices. The lawyer cannot be punished for removing certain issues from the court proceedings willing to benefit the client. Once the Court of the Maskowski Borough of Minsk passed a ruling about the legal responsibility of the lawyer Stramkowskaya for removing an issue for the benefit of the client during the hearing of the case against Vasil Staravoitaw, chair of the JSC Rassvet.

On 9 December, one day before the Human Rights Day, representatives of unregistered human rights organizations contacted Mr. Halavanau requesting reasons for non-registration and urging to dissolve of the Commission on registration of public associations and start drafting a new law on public association. This appeal to Minister of Justice of the Republic of Belarus Mr. Halavanau is signed by the leaders of the

unregistered “Legal Assistance to Population”, Association of public associations “Assembly”, “Helsinki-XXI” and Vitsiebsk initiative “Vieras”.

PERSECUTION OF YOUTH OPPOSITION ORGANIZATIONS AND INDIVIDUAL OPPOSITION YOUNG PEOPLE

On January 10, Baranavichy juvenile delinquency commission heard the cases of members of the unregistered youth movement Zubr. A. Bolbat, A Ezavit, R. Hrynevich, V. Polulekh and N. Merafianskaya were tried for the participation in We Want to Know the Truth! action, which had been conducted on December 9, 2001, on the Human Rights Day. The commission listened to the class teachers and some parents, who wanted to speak in defense of their children. The commission head confessed that it was the first time she had to consider the case of such a kind. The case turned out to be very unusual for the juvenile delinquency commission. Then the commission announced its verdict: "…Taking into account exclusively positive references from the school and the fact that the infringement was committed for the first time, the commission announces warnings to everybody".

The first celebration of St. Valentine's Day took place 5 years ago – On February 14, 1997. Belarusian young people chose the "Belarus into Europe!" slogan for St. Valentine's Day celebration. The tradition is to start the action with visiting the embassies of the European countries and congratulating the diplomatic corps. On February 14, St. Valentine’s Day, at 5 p.m. members of the Young Front started their march along the main avenue of Minsk. The Minsk City Executive Committee banned the action, but the Young Front decided still to keep up the tradition of the “Action of Love” on St. Valentine’s Day. In the morning of February 14 the top officials of the city police ordered their subordinates from the Savetski DBIA "to demonstrate an adequate reaction to the actions of the action participants". To put it simple, that means permission for mass arrests. People in civil clothes immediately stopped every effort to unwind white-red-white flags. About 300 young people gathered at Yakub Kolas Square and started their march along Skaryna Avenue. Some of the procession participants had white-red-white, as well as European Union flags in their hands. The procession went from Yakub Kolas Square to the Academy of Sciences, then to Khmialnitski Street. Police wanted the young people to go to Banhalor Square, but they returned back to Skaryna Avenue through communicating backyards. Special-Assignment Police Squad met the procession near the Polytechnic Academy. They started instant and savage mass detentions, beating and dragging people onto the police buses. Paval Seviarynets and about 30 action participants at the head of the procession were detained immediately. Some of the detained were only 8-10 years old. All the detainees were taken to Savetski DBIA. Some girls and boys were chased to the subway, stores and courtyards and beaten with truncheons. By the way, police started detaining the participants on their way to the place of the action –

Yakub Kolas Square. Thus, Natalla Kiyko and Siarhei Lisichonak were detained before they got to the square. The police took the young people to Savetski District Board of Internal Affairs (DBIA) and kept them there for 3 hours. The police did not draw up reports. In 3 hours the young people were released without any charges brought against them. During their detention in the police station they managed to make an (incomplete) list of other people detained during the action:

1. Paval Seviarynets
2. Chaikow
3. Siarhei Kastsiukevich
4. Artur Finkevich (under age)
5. Iryna Viatkina (15)
6. V. Balashevich
7. A. Siarheichyk
8. Andrus Kazlow
9. Vasil Parfiankow
10. Siarzhuk Herasimovich
11. Siarzhuk Pisarenka (16)
12. Hanna Salawyova (17)
13. Zmitser Awchynnikaw (15)
14. Siarzhuk Trapkin (15)
15. Kiryl Shcharbovich (14)
16. Ivan Hapanovich (13)
17. Zmitser Hapanovich (11)
18. Aleh Snedchyk (15)
19. Zmitser Vaitko (16)
20. Volha Charnykh (15) –(Orsha).

There is information that over 30 action participants were taken to Savetski DBIA.

On 14 February on St. Valentine’s Day youth actions occurred in 44 towns and cities of Belarus. In Homel, during the youth action, dedicated to St. Valentine's Day, people in civil clothes detained 3 under age participants: Yury Vasiluk, Alexander Zhumaw and Ihar Powzhyk. Zmitser arpenka was detained in police station # 1 of Centralny district of Homel, where he came to find out what had happened to his friends. The police made the teenagers write explanation notes. After that they were released without calling their parents (that is a violation of law). Zmitser Karpenka received a summons to appear in court February 15; he was accused of resistance to the police officers.

On 15 February 2003 the Savetski Borough Court in Minsk started to consider the evidence on the participants of Action of Love. Only one of the six charged with violating the administrative legislation was convicted: Stas Ivashkevich was fined 20 minimal salaries (Judge Ruslan Kazadayew) for “participating in an unauthorized procession” as is indicated in Article 167-1 CAI of the RB.

On February 15 the office of the Belarusian Students Association was robbed. At about 7 p.m. two young men, armed with knives, burst into the office during the weekly meeting of the new organization members. Brandishing knives, the criminals ordered everybody to lie down on the floor. They broke the fax machine, took a computer, a modem, some private belongings of the students (a winter-coat, a mobile phone, a pager, and keys). The attackers were acting in a self-assured way and had spent around 20 minutes in the office before finally rushing out into the street. Quite a few passers-by saw which direction they had taken. When the strangers left the students called for police. However, the policemen asked more questions about the activities of BSA, than about the incident.

On February 18 Miensk Savietski Borough Court tried some participants of the celebration of St. Valentine's Day.

1. Siarhiei Hierasimovich was fined 40 minimal salaries.

2. The report against Vasil Parfiankou was sent for improvement.

3. The trial over Andrei Kazlou was postponed to February 10 in connection with the absence of the police witnesses.

On February 19 Savietski Borough Court considered administrative cases against Zmitsier Dashkievich and Paviel Sieviaryniets. Judge Axana Reliava decided to fine Zmitsier Dashkievich 35 minimal salaries, the leader of the Young Front Paviel

Sieviaryniets – 300 minimal salaries, which is the maximal fine for the violation of the second part of Article No. 167.1 of the Code of Administrative Infringements of the Republic of Belarus (CAI RB).

On February 20 Savietski Borough Court continued trials over the detainees. Vasil Parfiankou was sentenced to 10 days of administrative arrest by the terms of the second part of Article No. 167.1 of CAI RB. Andrei Kazlou was fined 25 minimal salaries.

On 6 March court marshals seized the property of the Young Front leader Pavel Sieviarynets's parents' apartment. This was related to the latest administrative punishment of Pavel Sieviarynets – a huge fine worth 300 minimal salaries. Pavel Sieviarynets had been punished for his part in a St. Valentine's Day action.

On March 15 Maladechna police detained Young Front members Maxim Hurski and Alies Rydzeuski. They were distributing human rights editions in Maladechna downtown, when a police car approached them. The police officers detained the guys and took them to the city police station. The police major on duty told the representatives of the Human Rights Center Viasna and Belarusian Helsinki Committee, who came to the station, that the guys would be kept there for 3 hours and then be released. He did not make it clear if the guys would be charged..

On March 26, Maxim Dvoretsky and Andrei Zaitsev, both Zubr activists, were detained in downtown Mogilev. They were taking part in the graffiti campaign “You can't live like this!”. Two drunk young persons approached them and started a fight. The police detained all, soon releasing, however, the attackers but keeping the Zubr activists till the morning.

In the evening of April 2 Barysaw police detained ZUBR activist Ales Monich, who was posting stickers with the information about the march of protest “Can't Live Like That!” to take place on April 19. They took the detainee to a police station and drew up a report of administrative violation.

On 7 May 9 members of Stolin BSA branch (Brest region) were called in for a conversation with the principal of Stolin State Agricultural College. Principal Vasil Komik informed them that they, students in the 3rd and 4th year, will be expelled from college for their involvement with BSA. The formal reason for expulsion is their absence from 3 lectures (6 academic hours). It's worth mentioning that some of the students have all excellent grades and were going to graduate with awards. The problem is that on 27-28 April Stolin branch members of BSA participated in the 7th Congress of Belarusian Students Association, which was also a constituent congress of NGO "BSA-FOREVER".

Because of the Congress they had to miss their classes on Saturday – April 27. Using that ground, the college administration is going to expel them. This is not the first attempt of the authorities to hinder BSA activities by means of pressurizing BSA members through college administrations, and conversations with parents. For example, last year all members of Orsha BSA branch were called one by one to the principal's room for a "conversation".

On May 29, 2002 Alaksei Shydlowski filed a suit with Minsk Savetski borough court concerning the protection of honor and dignity and compensation for the moral damage. The defendants are the editorial staff of the Sovetskaya Belorussiya newspaper and its editor-in-chief Pavel Yakubovich. The sum at issue is 12 million rubles (~$6,700). The thing is that On May 8, 2002 newspaper Sovetskaya Belorussiya published the article “Face with a Touch of Reason” by the editor-in chief P. Yakubovich, which contains information that did not correspond to the reality and insulted A. Shydlowski’s honor and dignity. P. Yakubovich argues that Alaksei Shydlowski at the age of 20 had ostensibly left his wife and child and had been evading alimony which led to his conviction. However, Shydlowski has never been married, neither does he have children and his conviction was political graffiti (Article 201, part 2, Article 201, part 2, Article 186, part 2 of the Criminal Code of the RB. The article “A face with a touch of reason” was biased and timed to the annual report of the US Department of State on the human rights violations in Belarus. The article aimed to vilify not only Alaksei Shydlowski but also other prisoners of conscience.

On 29 July 2002 Centralny borough court of Minsk considered the administrative charges against Paval Seviarynets, leader of Young Front. Seviarynets was detained on 27 July 2002 during the picket, dedicated to the anniversary of Belarusian Declaration of Independence. Seviarynets was taken to Akrestsina detention center and was kept there for 2 days before the court hearing. Paval Seviarynets was found guilty of violation of Art. 167.1 part 2 and sentenced to 10 days of jail.

On the night of 2 August the detention center walls were painted with the graffiti “Freedom to Malakhaw, Sieviaryniets and Shchukin!”. Malakhaw had been arrested for ten days for organization of the picket under the slogan “You Can’t Live Like this!” near the Kamarowski marketplace. P. Sieviaryniets was sentenced to 10 days for organization of the celebration of the Independence Day on 27 July and support of the independent media. V.Shchukin was arrested for 15 days in the village of Bierastavitsa for an attempt to find out the truth behind the recent destruction of the Belarusian Autocephalous Orthodox Church.

On 7 August in the markets of Barysaw and Minsk the activists of the youth movement Zubr distributed flyers containing this: “He went to prison for protecting your rights”. The flyer related the businessmen’s strike in the capital on 29 July. It also said about the co-chair of the public association Private Property Leanid Malakhaw who had been detained and convicted. The action took place in the Dynamo market, in the trading centers Kupalauski, Knizhny Kirmash and in the Palace of Sport and also in all four markets of Barysaw. During the action the Zubr activists distributed more than 2 thousand flyers.

On 17 August, ten days after she was put into a detention center of Kastrychnitski BDIA, Harodnia, Sviatlana Nekh, a Maladaya Hramada activist, was released. Throughout her imprisonment Sviatlana was on hunger strike to express her protest against the court decision. “I went on hunger strike, -- said Sviatlana, -- to make our judges respect the Constitution. I will always protest if I am faced with lawlessness”.

On 19 August during the unauthorized picketing outside the Russian Embassy in Minsk, arrested were three members of the Zubr movement. Ihar Zakrewski, Siarhei Pezkin and Aliaxandr Holub. They tried to pass over into the embassy a petition protesting against the annexation of Belarus by Russia. After their petition had been turned down, the three Zubr activists unfolded the poster “Russia, you are destroying the fraternal nation by supporting Lukashenka’s regime!”. Soon afterwards they were arrested by the police.

On 20 August I a detention center three members of the unregistered movement Zubr started a hunger strike protesting against their convictions. Ihar Zakrewski, Siarhei Pezkin and Aliaxandr Holub were punished by judge of the Tsantralny Borough Court Tatsiana Pawliuchuk. Ihar Zakrewski and Siarhei Pezkin were sentenced to 10 days in prison and Aliaxandr Holub, despite his gastritis – to 5 days.

On 21 August in the afternoon the youth movement Zubr staged an anti-Russian action with the slogan “Long Live Independent Belarus!”. The monument to Marat Kazey in Ya.Kupala Park was decorated with a white-red-white scarf, then the Zubr activists tore into pieces the portraits of the Russian president chanting : “Putin, Putin!”. Then the journalists present were given a declaration saying: “We are not against the mutually beneficial cooperation with Russia… But we won’t calmly observe a group of politicians turning Belarus into a part of the aggressive empire”.

In the morning of August 23 the police detained in his flat Yawhen Afnahel, a participant of a 21 August action against the annexation of Belarus by Russia. He was

taken to Centralny borough police station, and later to Centralny borough court. That day Yawhen Afnahel requested counsel, thus deferring the trial. The police had spent the previous evening keeping watch outside the house where Ales Atroshchankaw, Zubr press secretary, lives. The police are making arrests using the action footage confiscated from the Russian TV companies' offices in Minsk.

On August 27 Minsk Centralny borough court in the name of Judge Tatsiana Pawliuchuk sentenced him to 10 days in jail. Protesting the decision the Zubr activist went on hunger strike.

On 8 September in Minsk detained was Zmitser Dashkevich, a Young Front activist. He and a dozen members of the youth organization had taken part in the picket outside the Russian Embassy. The pickets protested against the Union of Belarus and Russia and were burning Russian roubles.

On 11 September Zmitser Dashkevich was sentenced to 15 days in jail for participation in a picket near Russian Embassy. Centralny borough court of Minsk heard the administrative case against Young Front member Zmitser Dashkevich. On 8 September Dashkevich participated in an unauthorized picket. Judge Pawluchuk ruled to sentence Dashkevich to 15 days in jail.

On September 26 the member of Young Front Zmitsier Dashkievich was released from the detention center in Akrestsin Street, after spending 15 days for picketing against the incorporation of Belarus into Russia. During the picket near the Russian Embassy on September 7 Zmitsier threw a scarecrow that resembled president of the Russian Federation Vladzimir Putin through the fence of the embassy. This is the first time for the last four months that there are no prisoners of conscience in this detention center.

On 11 October police detained another two Zubr activists Dzianis Chykalow and Ivan Dzehtsiarow when they were posting leaflets. The detained were taken to Centralny borough police station, then to Chyhunachny borough police station and released only at 1 a.m. The police officers made several phone calls to Homel KGB department, cited the leaflets' text and suggested KGB officers should deal with the guys themselves. However, the KGB people were not interested. The policemen drew up reports registering violation of Art. 143.3 of the Code of Administrative Infringements and confiscated the leaflets. On 17 October Savetski borough court of Minsk turned down a suit filed by Aliaxei Shydlowski against the state-owned newspaper Savetskaya Belorussia and its Editor-in-chief Pavel Yakubovich. Judge M. Fiodarava heard the case. Shydlowski's mother Raisa and girlfriend Iryna Towstsik testified in the hearing. Iryna said she had been Alaksei's girlfriend since 1999, they had planned to get married, but the newspaper article did a lot

of harm to their relations. Valantsin Stefanovic, a lawyer of PA HRC Viasna, appeared for Alexei in court. The judge concluded that although the published information contradicted the facts, it did not defame Shydlowski and did not inflict any moral harm on him. According to p. 14 of the Supreme Court ruling # 15, dated 23/12/1999, such information does not need refutation. Valantsin Stefanovich, Alaksei's counsel, says: "We do not agree with the judgement and plan to file a cassation complaint with Minsk city court". It worth mentioning that the hearing has been repeatedly postponed through the defendant's fault.

On October 23, 2002 Belarusian Freedom Party and Young Front carried out a joint unauthorized picket opposite the house where the conference “Belarus-Russia: new integration” was held. It is worth mentioning that Belarusian authorities deported from the country vice-speaker of the Russian Parliament Irina Khakamada and the leader of Right Forces Union, political scientist Sergey Markov thus preventing their participation in the conference. The picket was unauthorized and had the name of “For Independence”. The protest was aimed against those local political forces that favor annexation of Belarus by the Russian Federation. About 30 people participated in this picket near IBIB center in Pravda Avenue. They also intended to express their point of view on the integration. Some Russian politicians weren’t admitted to the conference, and after the end of the picket the police started to detain its participants. Among the detainees there were: Paviel Sieviaryniets, Illia Iadrantsau, Siarhiei Matskoits with his wife, mother of two under-aged children, Aliena Matskoits. Illia Iadrantsau was sentenced to three days of imprisonment, the trials over Sieviaryniets and Matskoits were postponed to 11.30 a.m. on October 28. Aliena Matskoits was allowed to go back home. Illia Iadrantsau was immediately taken to the detention center in Akrestsin Street.

On October 28, 2002 Minsk Maskouoski borough court tried the member of Young Front and Belarusian Freedom Party, detained on October 23 for taking part in the unauthorized picketing “For Independence”. Judge Antanievich sentenced Paviel Sieviaryniets to a fine worth 665 000 rubles ($150) fines, Siarhiei and Aliena Matskoits will have to pay a fine worth 222 000 rubles ($20) each.

At 5 p.m. on October 30, Day of Prisoners of Conscience, in Minsk an unauthorized action organized by UCP Youth started. About 30 people took part in the action. They held portraits of the politicians who had been persecuted or had disappeared, journalists Viktar Ivashkievich, Mikola Markievich and Paviel Mazheika, sentenced to personal restraint for the alleged defamation of Aliaxandr Lukashenka. The police kept calm and didn’t interfere with the action.

On 11 December it became known that over the past few days the special issue of the Barysawskie Naviny newspaper was being distributed in Minsk region. During this period several arrests were made. On 7 December a resistance movement Zubr activist was detained in Zhodzina, on 8 December two Zubr activists were detained in Barysaw and another two in Krupki. Despite the arrests, several thousand copies of the newspaper covering the social problems of Minsk Region.

On 14 December Alesia Iasiuk, activist of youth movement Zubr, was beaten on a Minsk-Orsha train. She was distributing a special issue of “Barysauskia Naviny” newspaper. She was attacked by drunken teenagers in coats with swastikas. At first they asked for several copies of the newspaper, then started to mock at her. They hit her in the face and legs, tore all the newspaper copies out of her hands and threw them out of the train window.

THE PROBLEM OF PRESERVING THE PLACE OF MASS EXECUTION OF STALIN REPRESSION VICTIMS IN KURAPATY

On 15 January In Kurapaty there took place an opening ceremony of re-erecting the memorial sign “From the people of USA to the Belarusian nation”. The memorial sign had been first planted at the mass burial site of Stalin’s victims on January 15, 1994. Back then the former US president Bill Clinton personally engaged in the event. However, last summer the memorial suffered badly from hands of some vandals. Michael Cossack, US Ambassador Extraordinary and Plenipotentiary, and a number of other diplomatic mission heads, renowned Belarusian politicians, artistic intellectuals and journalists took part in the ceremony inaugurating the opening of the memorial which had been renovated at the expense of the US Embassy. The ceremony was attended by the Kurapaty defenders – more than Zubr activists, around 10 Young Front members and around 20 members of the Belarusian Party of Freedom. That’s why the law enforcement agencies were watching closely the inauguration. Several buses full of special squad police were on the side of the Minsk Ring Road, however, the ceremony went off quietly and with no “Involvement” on the part of the police.

April 11 was a 200-day anniversary of the unprecedented round-the-clock watch by young people at Kurapaty Tract. The defenders continue their action; authorities demand to demolish the crosses near the road. The defense of the national necropolis at Kurapaty Tract began on September 24, 2001 when a group of the Young Front members with crosses in their hands blocked several bulldozers, which were ruining the place of mass burials. During the night they put up a tent and decided to defend the Tract for as many days as it would be necessary. Several days later Belarusian Freedom Party and other youth organizations joined the action. On October 30, 2001 Young Front members put up a big warm military tent for wintertime. On November 8-9 Belarusian authorities tried to break the defense with the help of special riot police units and bulldozers … But the youth held out and won the struggle for national memory. As a result of this action Prosecutor’s Office admitted that Kurapaty Tract is a place of burial of victims of political repression in 1937-1940. Then with the help of Ministry of International Affairs and the US Embassy a memorial sign, the so-called "Clinton's bench", which had been ruined by unknown vandals, was restored. Builders, forest guards and police officers began to coordinate their activities at Kurapaty Tract with young people. Maya Klashtornaya, a victim of Soviet political repression, was appointed a scientific coordinator of a project to create a ring road near Kurapaty Tract. The Orthodox Church re-opened construction of a

chapel at Kurapaty Tract, and the state structures began discussing the project of a future memorial.

On 16 April arrested were four young people keeping vigil in Kurapaty. According to witnesses, this happened around 6 p.m. Quite unexpectedly 8 police dressed as civilians arrived at Kurapaty. They were acting aggressively, turned the young men out of the tent, and, insulting them, demanded documents, tore the white-red-white flag off the nearby pole. The unknown people took away everyone – three boys and a girl.

On 18 April the Savietski Borough Court of the capital started hearing the cases against two volunteer-defenders of Kurapaty, members of the Belarusian Freedom Party. Ales Poklad and Vasil Parfiankow were detained by the Savietski Borough DIA officers in the night of 16 April. They and two other people were detained for the so-called “identification”. The “identification” took almost 24 hours, with the law enforcement agencies refusing to disclose the detainees’ location to the friends and human rights activists.

Early in the morning of 19 April burnt was a tent with the defenders of the burial place for numerous Stalin repression victims. The Kurapaty defenders who had been keeping their watch for more than 6 months now, are being pressurized physically, however attempts are being made to discredit their campaign. Three people were inside the tent keeping watch – Aliaxandr Poklad, Vasil Parfiankow and Iryna Viatkina. The tent was set on fire at around 3 a.m. Vasil Parfiankou was the first to smell the smoke. He says the following: "I flung out of the room, took the fire-extinguisher. The top of the tent and its entrance were burning. The extinguisher didn't help much, the liquid soon came to the end. The tent was burning quite intensively. So, I returned to the tent, woke Iryna and we came out. The third of us is in hospital, in the intensive care department. He was fast asleep and didn't manage to follow us at once. When everything started to fall down, he started to shout, we took him out through the window, called for the police and for an ambulance. Aliaxandr Poklad was taken to hospital…"

On 19 June Miensk district judge Zmitsier Hrytsul fined Vasil Parfiankou. Parfiankou was found guilty of disorderly conduct and fined 20 thousand rubles (~$10). Parfiankow's trial lasted for over 2 months.

On 24 July in the Kurapaty, a place of mass execution of civilians by NKVD in 1937-1942, yet another case of vandalism occurred. In that night two crosses in the popular Kurapaty memorial were barbarically destroyed

Around 600 people gathered for the meeting, dedicated to the Ancestors' Remembrance Day Dziady, which was held in Minsk on November 2.

The action was organized by the BPF Conservative-Christian Party BPF and BPF "Adradzhenne". The activists of the former gathered in Tolbukhina Park, at the Park Chaluskintsaw metro station, while the latter – near the Uskhod metro. Both columns merged into one near Uskhod station and moved out together toward the Kurapaty memorial. The participants were raising banners "Let's honor Kurapaty victims!", "Kurapaty is the Belarusian national memorial!", "Stop repetition of Russian terror!", etc . Both parties held their final meetings at Kurapaty.

An activist of Belarusian Freedom Party Zmitser Kawko was detained in the night of 6 November near Kurapaty site in the area of Minsk ring road. Together with other members of Belarusian Freedom Party, he was putting graffiti on the sound-proof fence of the highway. The slogans were of political nature: "Lukashenka, respect Kurapaty!", etc. The reconstructed part of the highway was officially opened on 7 November. Lukashenka was present at the event. Obviously, the graffiti was meant for him. The police managed to detain only one person. He had been kept in a detention center for 4 days. Savetski borough court of Minsk found Zmitser Kawko guilty of disorderly conduct. Besides making inscriptions, he was convicted of damaging the road signs. He was sentenced to 7 days in prison.

On 26 December in Kurapaty unidentified vandals destroyed several dozens of the crosses and damaged the memorial sign "From the people of the United States of America to the people of Belarus for memory".

VIOLATIONS OF THE RIGHTS OF THE CITIZENS, WHOSE RELATIONS WERE KILLED IN THE NIAMIHA SUBWAY STATION TRAGEDY

On March 25 Minsk Centralny Borough Court dropped criminal charges against acting head of the public order police Viktar Rusak and head of department of the mass events Mikhail Kandratsin. The police officers were accused of duty negligence, which resulted in the death of 53 people, and injuries of over 200 people in the Niamiha underground pedestrian crossing on May 30, 2002. Judge Piotr Kirkowski dropped the charges because the investigation terms had expired.

On 17 April Tsentralny Borough Procurator's Office refused the petition of the relations of those killed in the Niamiha subway station tragedy who protested against the same court's ruling that had stopped the investigation into the tragedy reasons.

A memorial sign was set up at Niamiha subway station to commemorate 53 People who died here 3 years ago. City and state officials ignored the event. Most parents still think that indifference and incompetence of the authorities were the reason for the tragedy. By the way, the investigation of the Niamiha tragedy is stopped. However, the parents plan to bring civic actions. Maskowski borough court of Minsk will open the first hearing on a civic suit of the Inkows, the Navakowskis and the Yantsows on 11 June. Ten more families intend to file similar suits.

On 11 June Maskowski Borough Court of Minsk resumed hearings of the civil suits of the families whose kids died on 30 May 1999 at Niamiha subway station. Let us remind you that the first hearing of the suit took place on 5 August 1999. Judge Volha Husakova ruled to suspend the proceedings until there had been results of the criminal case. In March 2002 the charges were dropped "because of the end of the limitation period". On 11 June the civil proceedings resumed. The suit is brought against City Board of Internal Affairs, Minsk City Executive Committee, the Class-Club DK company, the Alivarya brewery, and the Mir radio station. On 11 June Nina Inkowa, mother of Maria Inkowa, 15, who died on 30 May 1999, requested the postponement of the hearing till June 19. Nina Inkowa asked for a delay because her representative Aleh Volchak could not attend the session.

On 16 August Maskowski Borough Court, Minsk, refused to grant the demands of the parents whose children died at the Niamiha subway station on 30 May 1999. Three had demanded the 100 million ruble worth of moral damages. A similar ruling had been passed by the Maskowski Court in mid-July in response to other parents' civil suits. The

relations of the perished and their lawyers are planning to take the matter to the higher court.

PERSECUTION OF TRADE UNIONS, LABOR MOVEMENT AND BUSINESSMEN

On 11 January around 2000 Belarusian miners took part in the anti-government protest in Salihorsk. This was the biggest protest since the presidential elections. The miners protested against the government decision that prohibits trade union members' monthly fees to be transferred via bank. However, the protesters were much more concerned about the government's doing with their money what it likes. The two hour rally voiced a concern that the government's decision was yet another step aimed at eliminating trade unions that may come out against the scheduled handover of biggest Belarusian companies to the Russian capital.

On January 30 Miensk Regional Court found illegal the resolution of the whole-town meeting in Salihorsk of January 11 concerning the precautionary strike on February 1 and the decision about its holding at the industrial enterprise "Belaruskali" and demanded the immediate compliance with its decision. According to Lieanid Zaitsau, Chairman of the trade union of the enterprise, the strike committee of "Belaruskali" intended to stop the work of the enterprise for five minutes. The trade union of agriculture workers decided to support the action.

31 January at Banhalor Square left-wing parties had a picket against the impoverishment of Belarusians. The picket featured these slogans "Stop impoverishment!", "Stop higher prices and lower pensions".

Mahiliou court considered the suit of Aliaxandr Karaliou, Chairman of the independent trade union of Zenith factory, against the policemen from Mahiliou Central District Board of Internal Affairs. A. Karaliou demanded from them to return him several T-shirts with the inscription "Say "No" to the fool!". The policemen had taken them from the factory cloak-room. They explained to Judge Halina Kuzhaliova, that these T-shirts could have been possibly used for agitation during the electoral campaign and therefore couldn't be personal belongings of the trade union leader. Aliaxandr Karaliou stated that the T-shirts were gifted to him by the journalist Uladzimir Laptsevich who is now a political emigrant. Four people witnessed that fact. A. Karaliou demanded from the court to acknowledge his right of property and make the policemen return the T-shirts or, at least, their cost – 700 000 rubles. After the long consideration the judge pronounced her verdict: to return only the bag where the T-shirts were lying. So, the court acknowledged the right of the plaintiff for the bag – except for the things that were kept inside it…

On 11 February the Kastrychnitski Borough Court, Mahiliow, had yet another stage of the legal proceedings launched two years ago. On the one hand, the Mahiliow regional branch of the Free Trade union and on the other hand, the administration of the borough that doesn't want to register the grassroots branches of the Free Trade Union on companies premises. The regular legal hearing took three days to pass a decision on the registration of grassroots branches of the Free Trade Union on the enterprises of the Kastrychnitski Borough in Mahiliow, namely: the car plant and the public company Ekran and the Zadniaprouski market of the regional capital. The outcome was a negative one for the Free Trade Union – the branches were denied registration. The leader of the regional branch of the Free Trade Union Iury Novikaw views such court decision as administrative pressure.

On 17 February Aliaxei Pawlowski, leader of the branch of the Free Trade Union of the Mahiliow construction #12 contacted court over his dismissal. He believed the company's management had been persecuting him for his civil activities and had made him redundant illegally. The head of the Free Trade Union grassroots branch at the Mahiliow construction company had been dismissed for failure to come to work with no justifiable excuse provided. This step by the construction company's management coincided with the constructors' protests organized by Aliaxei Pawlowski: people in overalls used their helmets begging for money, which was a very unnerving sight for the officials.

On 28 March Belarusian independent trade unions held a picket against the constantly deteriorating life standards, wage and pension arrears that have become a usual case in our country…

On 11 June Valery Levanewski, leader of Harodnia businessmen, was arrested for disrespect for the court. What was happening inside the courtroom is not known as the hearings were witout witnesses. The arrest had been made before the 20 June warning strike by the businessmen of Harodnia and Harodnia Region, which had been organized by Mr. Levanewski. The major demads were cancellation of the annual right-to-trade impost and compulsory certification of the items sold in markets.

On 17 July three activists of the Agricultural Machine Building Trade Union were detained outside the MAZ plant for distributing the special issue of the Belaruski chas. The police doubted the Federation of the Belarusian Trade Unions was being distributed legally.

Over 150 000 businessmen took part in the national strike on July 29, reports press service of Belarusian Businessmen Trade Union. Minsk and Horadnia strikers were the most active. Businessmen of Mahilow, Vitebsk, Homel, Brest, Baranavichy, Babruisk, Orsha, Vawkavysk, and other towns were also on strike. Only in Minsk 25 trade places (about 80 000 people in total) went on strike. This protest was also supported by owners and workers of kiosks and private shops, retailers and people renting places at large trade centers.

The protesters demand to stop persecution of trade-union's activists, to ease the tax burden, stop illegal actions of officials and put state and private businesses in equal conditions

On 1 September brought an indefinite national strike by businessmen. On the first day of the autumn the owners of small businesses came to work but did not start selling anything, but chose to express their protest against the neglect and exploitation of the recent months. On 1 September vendors did not sell anything both in the capital and in other towns and cities of the country. The biggest protest against the violent actions of the authorities was in the Parking Trading Center, near the Kamarowski marketplace in Minsk.

On 4 September around a thousand businessmen took part in an hour long sitting strike at Kastrychnitski Square in Minsk. That was the way the businessmen chose to show the authorities how serious their intentions were – if the "round table" with the authorities representatives bears no fruit, the indefinite strike of the biggest markets of the country would continue. And starting from 1 October and onward the businessmen would stop paying taxes: they are against the exorbitant taxes imposed by the state. No arrests were made during the protest.

On 11 September there was another strike by businessmen, which demanded Lukashenka's early retirement. The strike was a warning: if the authorities did not heed the economic demands by the businessmen, then from 1 October they would stop paying taxes.

On 15 September the Free Trade Union of Belarus came out against forced labor. It plans to send a query to the Constitutional Court of the country and the International Labor Organization asking for evaluation of the so-called subbotniks ("voluntary" work that is usually done on Saturdays) The thing is that the Minsk Region Executive Committee put forward an initiative to hold subbotniks on 17 September and 5 October. The money to be gained would be used to finance construction of some buildings.

On October 1 the national strike of Belarusian small businessmen started. It is the first protest featuring both economic and political demands. The businessman demand not only easing of the taxation burden, but also Lukashenka's retirement. the businessmen's meeting in Banhalor Square, Minsk formulated their demands to the authorities: shelving the decision on cash registers and settlement accounts for tax-payers, reducing the trading places rental and the common tax, shortening the list of goods subject to certification and hygienic registration, extending the certification deadlines, decreasing threefold the registration charges. The businessmen called on the National Assembly to start the impeachment proceedings against A. Lukashenka. The last item caused a divide in the businessmen's ranks. A united board of the businessmen that was set up clearly indicated their non-support of the impeachment. The businessmen divided into "Septemberists" and "Octoberists", about 50/50. The first group formed around the United board of businessmen and stood for striking from September 1, the second with the Strike committee at the head, decided to start it on October 1. "Septemberists" put forward only economic demands. They call on the authorities to hold a round table on business issues, attended by competent officials and Aliaxandr Lukashenka. In this case they promise to stop striking. Apart from economic requirements, the "Octoberists" also advance political demands. As long as the strike is on, the country may well fail to get more than 15 million dollars in tax revenue in October alone.

On October 23 the judge of Horadnia Lieninski borough court Natallia Koziel sentenced the Head of the Strike Committee of the Republic of Belarus Valiery Levanieuski to 15 days of imprisonment. Суд палічыў яго арганізатарам несанкцыянаванага мітынгу. He has been on hunger strike since the first day of imprisonment. It is his third hunger strike in prison. The first time was three years ago when he was arrested for the alleged meeting of businessmen at the entrance of the city executive committee and sentenced to 13 days of arrest. He had been judged by Valiery Iarashevich, who then joined the advocatory board and defended Lievanieuski on October 23. The second time was in June 2002 when he was sentenced to 15 days of imprisonment for "disregard for the court".This time had much in common with the first one. Though the advocate managed to prove that there wasn't any meeting at the entrance of the executive committee on October 11 as people neither held any flags posters nor shouted any slogans, the judge said that Lievanieuski had submitted an application to the city authorities to allow the meeting at that place in this time and found it enough to find the accused guilty of organization of an unauthorized action. It's worth mentioning that the judge accused of participation in the meeting even the Head

of Horadnia regional branch of Helsinki Committee Aliaxandr Antaniuk who attended the trial as a witness.

On December 26 a Mahiliou court considered the suit of Chairman of the independent trade union of construction company #12 Aliaxiei Paulouski against the company management. A. Paukouski demanded the management cancel three admonitions he had received and reinstate him in his workplace. This year he has been fired two times already. In July he managed to return to the company through a court ruling. However, in October the company management gave him in three days three admonitions for alleged violations of the company’s work code, and he lost his job again. A. Paulouski thinks his present dismissal is connected with the trade union activity. By the way, he is not only the trade union Chairperson, but also a member of the BPF party.

VIOLATIONS OF THE INDIVIDUALS' RIGHTS TO WORK AND SOCIAL SECURITY

Homiel Regional Advocatory Board has started the check-up of the advocatory practice of Zmitsier Ivanishka who participated in criminal and administrative trials that had a high profile. Zmitsier Ivanishka started work as a lawyer in 1998, when he graduated from the law school of Frantsysk Skaryna Homiel State University. Last year he participated in a number of cases that aroused great public attention. For instance, he defended the provost of Homiel Medical Institute U. Raukou at the sitting of the military board of the Supreme Court of the Republic of Belarus that considered the case of bribery at the institute. At the same time, he defended the members of the Belarusian Student Association, detained and beaten while distributing the newspaper Studentskaia Hazieta at Homiel State University. He also defended in court M. Chyhir's son Aliaxandr Chyhir. Now he defends the rights of the young activist of the United Civic Party Natallia Brel (Rechytsa citizen), against whom Prosecutor's office has initiated a criminal case for the ostensible defamation towards Aliaxandr Lukashenka and insult of his honor and dignity. Besides, he, together with Iury Zaitsau tries to get the law enforcement agencies to initiate a criminal case on the fact of the strange death of the Zubr activist Andrei Zaitsau whom a KGB worker had been attempting to make an informer. Now Zmitsier can't find any reasons for the check-up of his activity by the regional advocatory board. He only knows that the advocate Tatsiana Skrebnieva is dealing with this on the errand of the board. Though, according to Ivanishka, there were no complaints from his clients, she checks the accounts, agreements with the clients for the advocatory services. Chairman of the Presidium of the Homiel Regional Advocatory Board Valiantsina Katko refused to comment on this check-up. She stated that it was her right to choose whom to check.

On 2 January Ruslan Zgolich, a director with the Belarusfilm movie company, refused to be acknowledged as the author of the film Guests. The letter sent by him to Mr. Lukashenka requested interfering and preventing the destruction of the film. After the film had been re-edited anew, the director asked for his name to be deleted from the film titles. The Guests were the only feature film produced within the last year by the movie company. The movie cost $200000. When the director had decided additional expenses were necessary he was suspended and charged with several offences.

On January 15 members of the Belarusian Organization of Working Women (BOWW) L. Kaverka, N. Smirnova, and L. Danilchyk informed Viasna about their dismissals. Lubow Kaverka, chair of BOWW Shklow town branch, was dismissed for conducting a seminar for observers in the café where she worked. She was forced by the

café director to hand in her resignation. During the mobilization campaign, Kaverka was detained by the police after a meeting with the proxies of presidential candidates. She also organized a party for children, which was also a violation because she didn't have the authorities' permission to do so. Since she was fired Kaverka has not been able to find another job. She thinks the Shklow administration head has issued an order forbidding her employment. Lubow Kaverka registered as an entrepreneur, but the city administration did not include any of the proposed activities in her certificate. She is a single mother with 2 children and no chances to get a job. Ludmila Danilchyk was a Klichaw district coordinator of the independent monitoring during the election campaign. On December 1 2001 she was informed about the director's order to dismiss her from work in January, 2002 by the terms of Article 42 Part 1 (dismissed on the ground of redundancy). Ludmila Danilchyk says the position she has held will surely be retained, though under a different name. During this year she has been repeatedly threatened by the officials that she would be fired with no chances to get another job in the area. Her daughter, a 4th year student at a teachers' college, also experiences problems. Klichaw officials promise to send her to work in some godforsaken place when she had graduated. Nina Smirnova, Vezha chairperson of BOWW, worked in a collective farm for almost 10 years. After the end of the election campaign she was fired, although she hadn't had any reprimands for her work before. She took an active part in the mobilization campaign. Smirnova organized and conducted a mobilization event in her town. Although the event was permitted by the town authorities, it resulted in her dismissal. Now she is deprived of any opportunity to work in a collective farm, which is the only place to work in Vezha. Her husband has been unemployed since 1999 for the participation in the Alternative Election campaign. The family has to take care of 2 under age children.

On 16 January the Chervenski Borough Court passed a decision reinstating in employment Alexander Nikitsin, a lecturer of Smilavitski agricultural college, who had been illegally dismissed on 5 September last year for active involvement in the Independent Monitoring campaign. The court made public the results of criminological examination dated 23 November which confirmed that the documents used to dismiss Mr. Nikitsin (a contract canceling the earlier labor agreement) was forged. The examination revealed the actual text of the document which contained numerous adjustments and corrections.

According to the information of Mikhail Miasnikovich, the new president of the National Academy of Sciences of the Republic of Belarus, more than 400 Belarusian scientists have left the country for the last five years; about 200 of them were doctors,

about 60 – habilitated doctors. At his press conference on January 23 M. Miasnikovch also said the following: “Some of them went abroad on contracts, others – on grants, many of them – for good”. The reason is not only the ridiculous amount of the scientists’ salaries, but also the political situation in the country.

On 30 January around 30 workers of the Mahiliew construction company #12 came to the House of Councils in Mahiliow and demanded a meeting with the leadership of the regional executive committee. The action arranged by the branch of the Free Union aimed to get the wage arrears paid off. The employees of the construction company came to the regional executive committee dressed in special working overalls. They had no posters in their hands, neither did they put forward political demands – only economic. In December after a similar action the mayor’s office in Mahiliow reassured the workers that they would get their delayed salaries and that there would be no delays again. The promise had not been delivered, so the builders decided to meet with the leadership of the region.

On January 31 workers of workshop No. 2 of Bierastsie factory of household chemical goods held a spontaneous strike. They expressed their indignation at the low salaries, delayed salaries for December and the introduction of the third (night) shift. The workshop head led three female activists of the strike to one of the Heads of the enterprise, Zhudzikau, posing threats all the way there. The latter also began his talk with the strikers shouting: "The President prohibited strikes!" and ended it with the words: "The question of your salaries is solved in Moscow" (at present Bierastsie factory of household chemical goods is the property of the Russian Federation). In an hour the strikers dispersed having decided not to come to work in the third shift and wait for the answer to their letter demanding increased salaries, which was signed by 70 workers of the workshop.

At the end of January teachers of Babruisk secondary school No. 8 sent a telegram to the government and personally to Aliaxandr Lukashenka. In the telegram they expressed their readiness to more decisive action provided the delayed wages situation remained the same.

In February Minsk Tractor Factory started large-scale layoffs. The MTF administration explains their decision by the difficult financial situation. The staff will be cut down by 10% (about 1900 people). The first to be dismissed on the grounds of redundancy will be the people who have some "social protection": pensioners, who continue to work. The factory staff is overwhelmed with confusion and anxious expectations.

On 6 March in Mahiliow there was a strike of the ambulance drivers. The strikers demanded the payment of the January and February salaries.

On 6 March Stanislaw Shushkevich, the former head of Belarus and chair of the Supreme Soviet of the Republic of Belarus of the 12th Convocation, appealed to court demanding the re-calculatation of his pension, which had been given him in 1996. Five years ago his pension amounted to about $200. Since that time it has never been re-calculated and decreased 100 times (to $2) because of inflation. Maskowski Borough Court of Minsk decided to reject the complaint of the ex-speaker of the Supreme Soviet of Belarus Stanislaw Shushkevich. Since 11 September 1997 the conditions and amounts of pensions to officials are regulated by presidential decree # 16 "On some measures to regulate the material and social guarantees to people in the state’s employment". The Ministry of Labor states that the Decree does not provide for the right of the appellant to a pension, and there is no legislation which would provide for the order of fixing or re-calculating pensions for former speakers of the parliament. The representatives of the Ministry of Labor state that their Ministry does not set up pensions, does not pay them, and does not have the right to independently increase the amount of a pension.

On 12 March the court of Maskowski Borough refused to grant the claim by the former speaker of the Parliament Stanislav Shushkevich.

On 15 March the actor of the Christopher Theater Yawhen Kryzhanowski was banned to take part in the programs by the Belarusian radio and television. The actor was to have appeared in the children’s program Kalykhanka and the radio program Kava na traikh, however, the programs hosts were prohibited to invite Kryzhanowski. The former presidential candidate thinks this is prohibition to practice the profession.

On 2 April the Belarusian writer and journalist Yawhen Budzinas moved to Lithuania. He said he did not believe in the positive outcome of his struggle with the Belarusian officials for his firm and museum. Mr. Budzinas had been in charge of the publishing house Polifact and had also established the Museum of Belarusian Culture in Dudutki. He says that he has managed to do more during 7 weeks in Lithuania than in 12 years in Belarus.

On 7 May about 30 wheelchair invalids protested against the contemporary social policy of the Belarusian authorities. The rally was organized by Belarusian association of Wheelchair Invalids, which unites over 600 members. The rally participants held posters: "President! Who is responsible for not implementing the laws about social security for the disabled?", "Democracy is equal rights and opportunities", "Release us from home prison!" The rally participants believe the country's government violates a number of the

constitutional guarantees in relation to the disabled: Art. 21 (worthy life), Art. 30 (Freedom of movement), Art. 37 (participation in the life of the state), Art. 41 (right to work), Art. 45 (right to health protection, possibility to do sports), Art. 47 (right to worthy social security), Art. 48 (right to accessible housing), Art. 49 (right to education), Art. 51 (right to participate in the cultural life), and Art. 60 (defense of rights and freedoms).

In the morning of 22 May about 50 workers of Minsk Factory of Medicines staged a picket outside the factory entrance. They protested against the regular wage arrears. The picket participants, who had not received wages for 2 months, announced they would block the traffic near Chervenski Market. From 1 to 15 May all factory workers were forced to take a vacation. The workers did not receive any money, although it was Lukashenka who ordered to pay off all wage arrears. Meanwhile, the factory administration promised to dismiss all picket participants.

On 30 May the employees of the Homel engines plant had a strike. Having gathered outside the plant they demanded the company's management to repay delayed wages. A day earlier some employees received the amount of the so-called "consumer basket", but the salaries had not been paid four months in a row. The employees don't understand the reasons for not paying the salaries, as the plant works 5-6 days a week. The plant director did not event come outside to meet with the workers, the executive committee officials promised to find money for the salaries. The strike lasted for 3 hours.

On 3 June the public association Belarusian Association of Disabled Persons sent Mr. Lukashenka an appeal adopted by the delegates of the III congress of BelTI. The document concerned the topical social and economic issues relating to the disabled. It said that "the financial position of the disabled has been getting worse with every year, and the pensions provided not only fails to satisfy the basic life-support needs, but also significantly impairs their life prospects". The authors of the appeal believe the main reason for such a situation is failure to implement the disabled people legislation.

On 28 June the Berastsie branch of the Belarusian Social and Democratic Party (Narodnaya hramada) held a picket within the campaign "Give teachers their earnings!". Similar actions took place in the other regional and some district centers. The action began on 26 June in Vitsebsk, where a meeting-marathon had been held.

On 23 July two inhabitants of the town of Babruisk, Lubow Sankevich and Halina Huseva, came out into Banhalor Square to demand a meeting with the president of the country. Last year on 20 December they went out into Independence Square with the same demand with another two women and got arrested and then fined for an

"unauthorized picket". Before that they had a 10 day hunger strike in Babruisk. However, their life had not changed and the problems remained. Lubow Sankevich had been an accountant at the Babruisk Tractor Parts Plant and was dismissed by the administration for informing the controlling agency of the plant's management deliberately increasing the prime cost of the manufacture. Halina Huseva is a mother of five children. Starting from 1990 and through 1994 she had transferred installments to the Fandok enterprise for the construction of a cottage, however, she received neither the house nor was she able to get her money back…Both Halina Huseva and Lubow Sankevich still hope for justice to be restored. Last December instead of meeting the president they were arrested an fined. Now the Babruisk residents hope to be received by Lukashenka, as, in their opinion, in this country only the president can help them.

On 17 September the employees of the Salihorsk garment factory Kupalinka staged a protest. Dozens of women protested outside the executive committee demanding removal of the factory's manager Aleh Hrabeka. They said that the factory's management fails to do its job properly and cannot insure the profitability of the production and the full employment of the people.

On 26 December workers of the Pinsk canned products factory refused to resume work. The reason was that the plant had not been paying salaries for five months in a row.

BELARUSIAN SPECIAL SERVICES INTENSIFYING THEIR ACTIVITY AIMED TO SUPPRESS THE POLITICALLY AND PUBLICLY PROMINENT PEOPLE AND DISSIDENTS

In the beginning of January the real name of the KGB worker who "morally pressurized" Andrei Zaitsau, a participant of the Zubr movement, "using elements of blackmail" was found through the number of the pager the latter had left in his suicide note. It is a young man living at a university hostel in Homiel. His name is Aliaxandr Iastremski. Andrei Zaitsau committed suicide after meetings with the KGB worker. Andrei's application submitted to the Homiel branch of Belarusian Helsinki Committee before the suicide called the man who had been pressurizing him Aliaxandr Ieustsihnieieu, had the number of the pager and the phone numbers. In fact, it wasn't the real name of the KGB worker, but his "professional pseudonym". However, the numbers were real ones. Andrei Zaitsau died on December 20, on December 21 the so-called Aliaxandr Iastremski annulled his agreement with the pager company and made a new one that changed the number of his pager.

On 6 January the temporary detention center of Leninki BDIA in Berastse, where Uladzimir Malei and Henadz Samoilenka had been placed, was visited by a person dressed as a civilian and identified himself as a KGB employee in the 4th department. He said he wanted to have a talk with the detainees..

On January 28 more than fifty activists of the Zubr movement came to the KGB building in Miensk and stood in a line in front of it, holding candles in their hands. In such a way they commemorated the 40th day after the death the Zubr Homiel activist Andrei Zaitsau, who committed suicide under KGB pressure,. In ten minutes after the beginning of the action two KGB officers came up to its participants and demanded to show the permission of the Miensk City Executive Committee for holding of the "meeting". However, when Zubr members asked the KGB workers to tell their names, the latter ones gave up their demands and returned to their building. The picket lasted for about half an hour. The Zubr activists were holding this action outside the KGB building in order to show that they had not forgotten their friend and remembered who was to blame for his death. "There will some time when the persons guilty are punished", -- said the action participants.

At the beginning of January it became known that Yury Zaitsaw, father of Andrei, a Homel activist of the unregistered youth resistance movement Zubr who committed suicide under the KGB pressure, intends to get his son's death officially investigated. Yury

Zaitsaw filed a complaint to Savetski district court. He complains against the prosecutor's resolution to reject legal action, and, correspondingly, the investigation of the circumstances of Andrei's death. Zaitsaw thinks the rejection is unreasoned and, in principle, cannot have any reasoning, because the prosecutor's office did not check the circumstances, connected to Andrei's tragic action. In particular, Zaitsaw refers to the fact that the prosecutor's office did not interrogate some witnesses. The witnesses could have confirmed the fact that Andrei had told them about his persecution by a person who introduced himself as an agent of the Homel Oblast KGB Board. Besides that, Yury Zaitsaw believes, the investigators did not pay enough attention to Andrei's application to the Belarusian Helsinki Committee. Andrei informed BHC about KGB efforts to recruit him as an informer. There is also a recording of his telephone conversation with the recruiter. By the way, Andrei's friends witnessed the conversation, too. The father of the 24-year-old Andrei Zaitsaw believes there is enough evidence to infer the identity of the KGB agent who induced his son to cooperate, and to institute a criminal action against him.

In March Iury Zaitsau, father of Andrei Zaitsau, filed a written complaint with Homel regional court. Earlier Homiel Savietski borough court considered Iury Zaitsau's complaint. Zaitsau complained about the ruling of the investigator of Savietski borough prosecutor's office, who refused to initiate a criminal case to investigate Andrei's suicide. Iury Zaitsau and his advocate Zmitsier Ivanishka consider illegal the ruling of Savietski borough court. They thing that this ruling violates their rights and will insist on instituting a criminal case to investigate the driving of Andrei Zaitsaw to suicide. Zmitsier Ivanishka: "There is the fact – that Andrei Zaitsau was driven to suicide. There is a death note openly saying about the pressure on the part of secret services. There is a tape with the recording of Andrei's conversation with a KGB agent. Well, if it was some other person there would be no problem in instituting a criminal case. However, special services have a lot to do with this concrete case. I started questioning the people, who had a direct contact to Andrei Zaitsau. People from Andrei's circles knew he was under KGB pressure. He told his friends a lot. Three people have already shared their information and opinions with me".

At the end of March The Supreme Court returned the request for initiation of the criminal case to Homiel Savietski borough court for decision on merits. Homiel Savietski borough court had already refused to consider the complaint by Iu. Zaitsaw against the prosecutor office investigator’s decision not to launch criminal proceedings. The advocate Zmitsier Ivanishka asked the people who had direct contacts with Andrei Zaitsau and knew that he was pressurized. Among the people who gave explanations

there was Viktar Karnienka, Head of Public association "Public Initiatives" in Homiel. He said the following: "Andrei told me that KGB workers offered him to collaborate with them concerning "Public Initiatives" and asked me what he should do. I advised him to apply to human rights organizations. They demanded he should visit "Public Initiatives" more often, to draw a list of regular visitors, fix the ongoing organization events and main discussion topics, possibly bring to KGB some documents and things. He also said that they summoned him to military recruiting office where there was a KGB worker, who called himself Ieustsihnieieu, how they tried to intimidate him

At the beginning of June Savetski Borough Prosecutor's Office of Homel renewed investigation of Andrei Zaitsaw's suicide. The investigators have interrogated Zaitsaw's parents. Soon they will start summoning witnesses. The criminal proceedings to investigate Andrei Zaitsaw’s suicide had not been initiated. Homiel Savietski borough court refused to consider Iury Zaitsaw’s complaint against the decision of the investigator of the Savietski Borough Court in Homel to investigate his son Andrei Zaitsaw’s suicide. Iury Zaitsaw and his lawyer Dzmitry Ivanishka consider the court ruling to be illegal and in violation of their rights and demand institution of a criminal case.

On 9 September leader of United Civic Party Anatol Labedzka applied to prosecutor's office about wire-tapping of his telephone conversations. The thing was that some Russian and Belarusian newspapers printed the text of the telephone conversation between the UCP leader and the famous Russian politician Boris Nemtsov. Mr. Labedzka is quite positive the prosecutor’s office will not investigate the matter, but he hopes the public will turn its attention to the cases of the violated right of privacy. By the way, UCP web-site informs its readers about the most recent telephone conversation between Labedzka and Russian politician Boris Nemtsov. The web-site suggests its readers should turn to the Belarusian television and newspaper Sovetskaya Belorussia for the details of the conversation.

On 19 September Andrei Blinets, chair of the youth public association Zialiony Dub, and the deputy chair Miraslaw Lazowski were invited by the investigator I.Brylewski to the Criminal Investigation Board of the of the DIA of the Minsk Region Executive Committee. After the conversation with the investigator Miraslaw Lazowski was taken to the KGB of the RB for a conversation. According to the Zialiony Dub press-release, the investigators asked questions about the relation of this public association to the unregistered patriotic organization Bely Legion. That was the reason why the investigator I. Brylewski had summoned them. The law enforcement agencies are interested in the activities of the organization Bely Legion as they think it was behind the destruction of

some graves in a cemetery in Valozhin District. The only questions asked concerned what they knew about the Bely Legion, its leadership and their relation to this organization. KGB exercised heavy psychological pressure. Threatening conviction for offences Miraslaw had never committed (racketeering, rape, attempted terrorist attack on the Russian Embassy in 2001), he was pressurized into agreeing to collaborate. At the same time it was repeatedly underscored how easy it was to find witnesses to give evidence identifying Miraslaw as a person implicated in any of the charges pressed against him (a guard of the Russian Embassy who had allegedly seen Miraslaw, market vendors who would testify the guy had been extorting money from them etc.). KGB agents promised adequate payment in return for information about Bely Legion, as well as a good job and other material rewards.

On 12 October Andrei Zaitsaw could have turned 25. Last year he committed suicide under the influence of a KGB agent. Homel activists of Zubr movement held several actions to commemorate their friend. Ten Zubrs stood in front of the KGB building with the portraits of Andrei Zaitsaw. In 45 minutes all of them were detained for identification.

On 5 November UCP leader Anatol Labedzka was seized by the KGB agents in civil clothes after he walked out of the US Embassy. Anatol Labedzka was delivered to the KGB building, where a KGB officer familiarized the UCP leader with the official warning report. After the conversation recorded on video, Labedzka was released.

"This was an enforced seizure. I was attacked by four men, dressed in black. They forced me into their car", -- said Labedzka at the press conference on November 5.

The official warning report says: “Citizen A.V. Labedzka is thereby notified that he was summoned to the Belarusian KGB on the basis of materials, received in the course of the investigative activities into the character of his confidential contacts with the foreign nationals, who are identified as spies or are suspected to be involved in the work of foreign security services, as well as on the basis of his financial dependence on western sponsors. This proves that soon he may be drawn into the criminal affairs and further commit a crime, envisaged by article 356 (high treason) of the Belarusian Criminal code. In 1998 Anatol Labedzka was on a two-week training trip in the J. Marshall’s European Center for security research (Western Germany, Garmish-Partenkirchen), which is being actively used by the western special services in order to carry out surveillance against the Republic of Belarus. The trip was organized upon the mediation of the US embassy defense attaché D. Holachek, who is a military intelligence officer. Another confirmation

of that was the arrest and trial in 2001 over espionage of the Center's employee Christopher Letz.

Data received in the process of the activities on the US CIA network in Belarus proved that Labedzka constantly contacted the employees of the political department of the diplomatic mission (Bogner, Fungard), who are involved in the US special services' work. It was them who repeatedly received from Labedzka the information on the interior political processes in the country. It was then established that Labedzka's visits to the US embassy last longer than those of the ordinary Belarusian citizens and usually last for an hour. At the same time, his companions often leave the diplomatic site within 10-15 minutes. There have been also registered a number of his contacts with the head of the Advisory-Monitoring OSCE Group Hans-Georg Wieck during which the diplomat received from the Belarusian national various information on the development of the social-political situation in the country.(…) Labedzka's contacts with the Polish national Kazanecki, involved in the activities of foreign intelligence, took the form of reporting to the foreigner about the political situation in Belarus (…) A range of foreign nationals (Bogner, Fungard, Plavec, Kazanecki and others) with whom Labedzka intensively cooperated, are denied entrance to the country and CIS territory for endangering our national interests. In 2002 Labedzka sharply intensified his visiting of the foreign diplomatic compounds (he visited the US embassy alone more than 15 times) (...)

To carry out his activities Labedzka receives organizational and material support from one of the functionaries of the International Human Rights League Catherine Fitzpatrick, who's also implicated in security services operations".

KGB officers base the accusations against Labedzka on publications, which state that Labedzka has received western support. In the official warning report the KGB refers to the article by the leader of Narodnaya Hramada M. Statkevich, which says Labedzka receives $1500 from the US embassy every month. The UCP leader says the accusations are "the return of Stalinist absurdity". The KGB press-service spread the statement, saying Anatol Labedzka may face criminal responsibility under article 356 of the Criminal code (high treason), which envisages penalty for up to 15 years of prison

On December 26 Minsk Central court was to have considered the suit of the USC leader Anatol Liabiedzka against Belarusian KGB. Anatol Liabiedzka demanded the court find illegal the KGB warning. Strangely enough, KGB representatives decided to ignore the trial, as a result of which it was postponed to the middle of January. Anatol Liabiedzka thinks the State security got in trouble: when they detained him and issued

their warning, they didn't think of the legal consequences of this "action". Now KGB needs some time in order to invent a legal shape for their illegal deeds.

CASES OF HARSH OR INHUMANE TREATMENT OF THE PARTICIPANTS OF MASS PROTESTS, DETAINEES AND PRISONERS

On 2 January Dzmitry Vaskovich, the son of the BPF activist from Maryina Horka Vasil Vaskovich, was beaten by the local police. The 19 year old boy got a craniocerebral injury, kidney injury and was placed into hospital. Dzmitry's father filed a suit with the prosecutor's office requesting a case against the responsible people. He believes the accident was part of the planned campaign against his family famous for an opposition outlook.

On 31 January Dzmitry Harshanaw, a 20-year old member of the Antiglobalizer, a rock band, was tortured by the Grodno police. While forcing from him a confession that he stole musical equipment from a private garage, police tied Dzmitry's hands behind the chair, put a gas mask on his head and periodically closed the air inlets during the course of an hour. Under threat of continuation of such torture, Dzmitry, who is an environmental activist and a member of one of the anti-fascist group, was also forced to sign a police report accusing him of public intoxication, and spent a night at the police station Dzmitry say that he considers himself a "street-ager," and does not smoke or drink. Streetagers also take an active part in antifascist, environmental and other nonconformist movements.

Evidence of the persons detained at Action of Love on February 14:

Zmitsier Dashkievich: " I was detained near the stadium of Belarusian State Polytechnic Academy together with S. Ivashkievich. He can witness that a police colonel was beating me (nobody told us his surname in the Savietski Borough Board of Internal Affairs (BBIA). They treated us violently in the BBIA as well: I was chained to a radiator, the colonel beat me in the face, trampled my legs, insulted, threatened to beat. He beat S. Ivashkievich in the face as well. We were kept at the BBIA since 4.30 p.m. (the moment of detention) till 11 p.m., then were taken to the detention center in Akrestsin Street. Then they treated us better, but gave no food and 11.30 a.m. next day took us to the court."

Siarhiei Hierasimovich: "… They kept me at Savietski BBIA till 3 a.m., then said to sign the report of detention, where I was accused of participation in an unauthorized action, usage of unregistered symbols and crying out anti-State slogans. When I refused to sign it, they started to threaten me with trouble at my university and didn't let me go to the lavatory… At 11 p.m. they took me to the detention center in Akrestsin Street together

with 5 detained and 2 under-aged persons… Workers of the detention center treated us fairly well, but refused to feed us in the morning…"

The under aged Artur Finkievich was detained in Varvashenia Street, not at the time of the action. In his application he wrote: "We came out of the BPF quarters together with Siarhiei Kastsiukievich, crossed the Street, came up to a car with 6 people in. When they saw us, they opened the door and we passed them two copies of congratulations on the St. Valentine's Day. At that time another car came near, 2 people in plain clothes ran out of it and pulled us into the car. They didn't tell their names and didn't ask us for any documents. In 5 minutes we were at Savietski BBIA. There they composed a report for violating Article No. 167. The juvenile delinquents inspector Sviatlana Nikitsina wrote that I had been detained in Darashevich Street, didn't react to the requests to stop the illegal actions, etc. From this report I found out that I had been detained by the police lieutenants Hadyniets and Kumahiertsyn. At 8.50 p.m. my mother came who refused to sign the reports and only wrote: "I have come to take my son home, but don't agree with the report".

Evidence of the people detained during the 24 April celebration of Freedom Day in Miensk:

Aliena Rashetnikava: "On March 24 I participated in the celebration of Freedom Day. Near the entrance to the metro station "Iakub Kolas square" I noticed people standing still, without moving forwards or backwards. I came a bit further and noticed a large police cordon. The special police forces didn't let people come into the subway. Then the police started to push people back. I saw a policeman breaking a correspondent's photo camera. They started to beat young people near me… I didn't know what to do. At first I thought about going down into the subway, but then recollected the tragedy at the Niamiha metro station in 1999. The police ringed people and started to force them into buses. A policeman ran up to me, I asked him not to detain and not to beat me, but he wouldn’t listen. They didn't tell me the reason for my detention. Approximately at 2.30 p.m. the policemen took me to Miensk Tsentralny Borough Board of Internal Affairs. I asked them to release me as soon as possible as I had left a three-year-old child home alone. When they were drawing the report of my detention I noticed the signatures of the policemen that had nothing to do with my detention. I asked them why they had done that. They didn't answer anything. I asked them to take me to their authorities. They answered that the court would discriminate my case."

Artsiom Iarmolienka: "'When we came up to Victory square there was a police cordon. The column stopped. Then somebody ordered to start arrests. A policeman ran

up to me and kicked me in the solar plexus. They pulled me into a bus. In some time they took there some other journalists and started to beat one. A man got on the bus and said something to them. They apologized to the journalist, released him and took us to Miensk Tsentralny BBIA. There they kept me till 2.45 p.m. when my grandfather took me home."

Aleh Korban: «...Near subway station "Ploshcha Peramohi" the Special Forces policemen behaved very aggressively. I was among the first people, who were thrown into the police bus. There I got hit with a truncheon on the head. We were taken to Centralny Borough Board of Internal Affairs. The police drew up the report (Art. 167-1 part 1 of the Code of Administrative Infringements). Then I was let to go home.

Two weeks passed, and I was summoned to Partyzanski borough juvenile committee. My class teacher and my father were also present. Mr. Novikaw, our former district officer, was among the committee members. He kept reminding the committee about my other detentions for spreading leaflets and writing slogans on the asphalt. Novikaw said, that I was "facing corrective labor". I was put on record in the juvenile delinquency room. They threatened my father with huge fines, jail, and corrective labor. Eventually, the committee ruled to fine me 5 minimal wages for participation in celebration of the Freedom Day and for shouting "independence". By the way, it took them a long time to discuss what that word exactly meant. My class teacher was recommended to leave me after classes once in a while, and conduct conversations with me about behavior in our state. They advised me to join the BPYU and to participate in cleaning the school territory. In the end, Novikaw told me not to relax and to wait for a call to Partyzanski Borough Police Board".».

On 25 March the Savietski Borough Court of Minsk sentenced the former criminal investigation police officers Marat Novik and Iury Trus to three and three and a half years in prison for torturing the detainees. The police officers Novik and Trus were adjudged guilty of torturing the citizens Iury Harelik and Dzianis Labetski. The court ruling became a test case in this country.

On 28 March Mikhail Udovikaw, deputy State secretary of the Security Council, refused to comment on the situation concerning “certain protests” within the capital police ranks. The thing is that on 24 March more than 50 criminal investigation officers from Minsk had gathered at Banhalor Square to discuss the situation connected with the conviction of their fellow workers accused of abuse of office or malfeasance. On 25 March two criminal investigation officers of the Tsentralny Borough DIA were sentenced by the Savietski Borough Court to three and three and a half years in prison and on 26

March five former employees of the Pershamayski BDIA were sentenced to various terms of imprisonment: from 3 years of suspended sentence to 6 years in prison.

Evidence of some people detained during the 19 April protest “You can’t live like this!” Aleh Zhlutka (PA HRC Viasna observer): “...A bus stopped opposite me, the policemen forced two youngsters inside and started to beat them with feet and truncheons there. When they noticed that their "educational activity" was being filmed by a journalist, they pushed the youngsters on the floor, so that not much could be seen from the windows. Then they put them on the back seats of the bus. I ran towards the bus and through an open window asked them what were their surnames in order to give this information to Viasna and phone their relatives. The guys were still shocked and only fearfully looked at me with eyes wide open. Suddenly a dark-haired man in a leather jacket seized me by hand and passed to the policemen in the bus, telling them: "Take one more, he wanted to talk through the window!" I showed the policemen my observer's direction. The answer was: "You can put it in the ass!”. That's how I appeared near the other detainees, on a back seat of the bus. Still hoping that the police would soon release me because of my being an observer, I asked them about their surnames in half-whisper for several times… Through the window we saw how some policemen were carrying the beaten Valiery Shchukin. On the front seats of the bus were a dozen of policemen in ordinary blue uniform. Near me, on the corner seat, there was a girl sobbing, pressing her hands to the stomach. The policemen ordered us to tell them their surnames, age and slightly searched us. The girl didn’t answer anything to their questions – she suffered much after a kick in the stomach. In some minutes she said that she was pregnant and asked the police to call for an ambulance. At first they didn't believe her and she had to show her stomach. Then they answered: "There's no need for the pregnant to hang around demonstrations!" We also started to ask them to call an ambulance. The answers contained four-letter words only... At last the bus started. Soon it stopped near the central office of the Belarusian People's Front. The policemen killed time chatting about Tatars, Moskals and Khokhols (insulting words used instead of "Russians", "Ukrainians"). We started to ask them to release the pregnant, telling them that if something happens we will witness their guilt. Eventually the policemen "surrendered" and phoned to their brass, that ordered the girl to be released… Approximately in ten minutes they received the order to take us to Savietski borough board of internal affairs (BBIA). At the entrance guards were waiting . At first they took us to the corridor of the basement and ranked near one of the walls. The majority of the detainees were sitting in the hall, at the entrance of which there were standing a number of policemen from the special forces. ... Among the detainees was Aliena Rashetnikava, who had left a small child at home. When three hours (the legal term of administrative detention without filing any accusations)

passed, the people started to express their indignation that the policemen would not release her and started to chant: "Three hours!". The low, monotonous sound was grating on the policemen's nerves and eventually they released her. Then the detainees came up to the entrance of the hall and started to demand to lead them to the lavatory, as the police didn't react to the ordinary requests. At that time the under aged were taken into a bus outside the BBIA, and fewer people stayed behind. As for me, the police overdid their work and composed two reports of detention instead of one. That's why they lead me in and out of the hall for several times, trying to find out what was wrong. I wrote down my explanations, specified the time of the report composition (it was 11 p.m. already) and demanded they attach the observer's direction to the case materials … They took people out of the hall in small groups. At first they led us upstairs to a room, where some police official in plain clothes was checking whether the composed reports and other documents were in the right order, then – downstairs, to a duty department. The duty policemen searched us, took away our purses, shoe-laces, keys, gave us copies of the personal search and closed in the temporary detention cells. In an hour they were taking the people out of the cells, loading them into the bus and taking to the detention center in Akrestsin Street. I was in the last group. The policemen had lost the passport of one of the detainees, Raman Kazakievich and put him back into a cell. The rest, nineteen people were loaded into the bus. We arrived at the detention center approximately at 2.30 on April 20. At first we were taken to cell No.4, then eight of us – to cell No. 22. One could hardly fall asleep there – the wooden plank-beds were absolutely smooth and the body always slipped into an uncomfortable position. On the first day we were adapting ourselves to the new conditions. Approximately at 9 in the morning the guards brought us mush. I ate it with the brown bread, immediately felt burning in my stomach and understood, that if they feed people twice a day, I will have great trouble with it. Four of us went on hunger-strike. We also demanded the guards give us a pen and paper in order to write a complaint to the prosecutor concerning the illegal imprisonment. I received a parcel, but didn't stop the hunger-strike and passed the food to those who ate. In the evening we wrote applications to the head of the detention center concerning the hunger-strike. On Monday morning the guards took us to the court. in the special car, called "autazak". They put about ten people in the largest cage, four – into two others, which were smaller, and a girl, Marharyta, into the cell with iron door. On our way to the court we were taken to the BBIA for taking back our belongings. It was tight and stuffy in the cell. I spent six hours in the car before the trial. The guards prohibited my mother to pass me mineral water. At the trial I explained my duties of observer, solicited for an advocate. The advocate advised me to agree for the case consideration without summoning the police witnesses to save time, hoping that I will receive three days of

arrest and will be released. However, the judge decided to summon the witnesses and ordered to take me back to the car. The trials were based on the assembly line principle: usually for violation of the first part of Article No. 167.1 of the Code of Administrative Infringements (CAI) people were sentenced to five days of imprisonment, for violation of the second part (organization or repeated participation in an unauthorized action during a year) – 10 or 15 days of arrest. The minimal sentence was 3 days of arrest. Those who solicited for advocates were taken back to Akrestsin Street. When we were taken back to the detention center, we passed out belongings to the local duty policemen. Vasil Zhakau and I were taken to the empty cell No. 8... In the morning Vasil and I were loaded in the same car together with two other people. On the way to the court the car stopped in a yard, the police led us into a basement of a house and locked us in a small cell. Two other prisoners were taken to the Savietski borough court. In half an hour a smaller car, "varanok", took us to Tsentralny borough court. Vasil was tried first. I could watch my guards through the holes in the door of the cell. They slept, lying in the car. In two hours they took me out for the trial. At the trial the policemen from the special forces Kouzik and Ilimovich gave standard testimonies: "Was in the center of the road, in front of the column, shouted "Long Live Belarus!", "Shame on you!", etc. Neither of the "witnesses" could tell exactly what I was wearing during the detention, though I asked them about it. The advocate presented to the court the paper telling that I had a chronic stomach disease and asked the judge to take into consideration the fact that the regime of feeding in the detention center didn't meet my needs. Judge Pauliuchuk found me guilty and sentenced to four days of arrest...”

Aliena Rashetnikava: "On April 19, 2002 I took part in the action "You Can't Live Like This!". I was in Iakub Kolas Square together with my brother Siarhiei Rabkievich. We saw how the police began to beat an old man. My brother came up to a policeman and told him to stop it. They seized my brother and forced him onto a bus. I ran after them asking: "Why do you detain him? What should I do? Where can I phone?" Instead of answering, they took me onto the bus as well and took to Savietski BBIA… In spite of the fact that I left a small child at home, they detained me for 5 hours. Then they released me, having given me a call-up to court for April 23, 2002."

13 July, evidence of the detained members of the Hindu group Kailas’ Light:

Tatsiana Maiko: “On July 13, 2002 my friends and fellow worshippers and I were going to a park. The police sealed the road to the park. They demanded we get into their car, without answering why we should do it. In some time, after speaking into their walkie-talkies, they forced us into the car and took to Minsk Frunzienskaie borough board of internal affairs (BBIA), then drove to the detention center in Akrestsin Street where

they kept us till July 15 when we were tried. The court found me and my friends guilty of holding an unauthorized procession. In the detention center we were kept in a small room where we could lie in one line, one by one. At the police board they took our fingerprints as if we were real criminals and didn't even let us wash hands after this. It was very insulting. We didn't eat anything at the detention center, expressing our disagreement with the arrest. The guards prohibited us to pray there and threatened to take us to the room where one can only stand. Some women needed sanitation items and we had to ask them many times to make them phone our friends so that they could bring them. The police didn't inform anybody about our detention. Some of us had left little children at home. Among us there was a woman in the eighth month of pregnancy. They pulled her into the car like other ones. There was also a blind fellow. They insulted him and released him only late in the evening, but instead detained his wife that looked after him. All these events made a terrible impression".

Siarhei Ramanchyk: "On July 13 I was going to meditation together with my friends. The police stopped us for allegedly unauthorized procession and started to pull us into their car without any explanations. They took us to the police board and composed reports of administrative violation. They didn't know what to do with us, their authorities phoned somebody for instructions. I was taken to the detention center together with other detainees and kept us there till trial. There I was found guilty of participation in an unauthorized procession and fined 200 000 Belarusian rubles".

Ulada Ashmaryna: "Members proposed me to take part in an unauthorized meditation, held by the group of Hinduists "Kaylasa's World". I know these people very well, we are fellow worshippers, that's why I agreed. The meditation was to have taken place in the park of the 60th anniversary of USSR on a weekend day. We didn't intend to draw public attention and had no political aims. The meditation place was somewhere in the outskirts with few people there on Saturdays. We gathered together and decided to go further into the park. At that time a police car came into view and was following us from a distance. In several minutes a police bus arrived. The police detained us, talked into their walkie-talkies then said that we were detained for identification. They didn't want to talk with us. When we said that they were violating our rights, they dragged us onto the bus. The policemen twisted people's arms and threatened beating. They detained us for more than three hours at Minsk Frunzienskaie BBIA, then started to interrogate, made photos and took our fingerprints. I recalled the films about notorious villains. They couldn't decide what to do with us. Then they released some of us and took the rest to the detention center in Akrestsin Street. The trials that took place on Monday showed that everything had been planned and decided before. They made us hire their

counsel, telling us that they would get us back to the detention center for several days. The policemen who had detained us gave evidence at the trials. The judges paid no attention to the contradictions in their testimonies. Neither were they interested in the fact that the police violated the Administrative Code – those who had detained us didn't draw up the detention reports, other policemen made them instead. Among the witnesses were also policemen who had not detain us. The verdicts were very similar. I had the impression that they differed only in the amount of fine and the detainees' names. After one of the trials a policemen smirked and said: "What do you want from a woman with blindfold eyes?" He meant Themis, the old-time goddess of Law and Order. We were told that our property would be confiscated if we didn't pay the fines. Our group has many students, some of us have small children, we simply have no money".

Volha Kavaliova: "They started to seize and force us into the car. Some of us tried to escape, others (including me) sat down on the ground and refused to move. Two policemen twisted my arms and led me into the car. They took away our cult items. They insulted us at Frunzienskaie BBIA, mocked at our faith and allowed casual treatment of the items of cult. At first they wanted to release us. Then there came a man in plain clothes. He spoke in a very humiliating way. He didn't tell us his name and position, but it was him who decided that only those who had children, the pregnant woman and the blind man could be released and ordered to take the rest of us to the detention center. They detained us for a very long time. They allowed us to go to the lavatory and gave us water only after long and insistent pleas. They treated us in a very humiliating way – shouted, threatened to beat us and take to the black hole. We went on a hunger-strike and drank only water to express our protests against such treatment".

Maryia Viatkina: "They alleged detained us for identification, but weren't satisfied with it and then took me to Akrestsin Street and detained there for 2 days. They paid no attention to the fact that my husband is blind and needs my care. Then I stood trial and was fined 200 000 Belarusian rubles"

Siarhei Silibin: "Among us was a woman in the eighth month of pregnancy and a blind man. They were seized and forced into the car together with other ones. A man in plain clothes acted like a real gangster. He didn't tell us his name and tore a video camera away from one of our girls. At Frunzienski BBIA they said that we would be released after identification. In five hours we were accused of holding an unauthorized procession. They interrogated the young pregnant woman for it was easy to intimidate her. During the interrogation we expressed our indignation, said that we were Hinduists and wanted to meditate in the empty park. "They only released the blind man, the pregnant woman and

those who had children, but gave them call-ups for trials. At the detention center we went on hunger strike. On July 15 there were quick and unjust trials”.

On 18 July Mahilow policemen detained and later severely beat chair of the city branch of Free Trade Union Yury Ryzhkow. Heads of local trade union groups Siarhei Famin and Alexander Karalow, as well as chair of regional branch of the FTU Yury Novikaw witnessed the illegal arrest of their colleague. Novikaw and Famin also became victims of policemen's violent actions. Ryzhkow was taken to a police station, where the police officers started beating him. The policemen later explained their actions by the fact that Ryzhkow had been supposedly drunk. However, the ambulance which was later called to the police station, certified the fact of Ryzhkow's sobriety. On 19 July Ryzhkow was taken to Leninski borough court of Mahilow. The judge ruled to send the case materials back to the police because they had been drawn improperly. The judge also suggested Ryzhkow, Famin and Novikaw should undergo medical expert examination, to certify their obvious bodilyinjuries. At the same very day Ryzhkow and his wife lost their working places on Mahilow market. This happened in their absence without any legal reasons. On 21 July Ryzhkow was again detained by police and taken to the same police station, where he had been previously beaten. This time he was released in a few hours. On 22 July Ryzhkow and Famin underwent medical expert examination, which certified the trade union activists had numerous bodily injuries. Ryzhkow and Famin applied to court requesting investigation into the beating.

On 7 September Horadnia police beat up Stas Pachobut, 26, leader of the famous rock-group "Deviation". At present Stas is at neurosurgery department of Horadnia emergency hospital. Stas' brother, journalist of Horadnia newspaper Glos znad Niemna Andrei Pachobut, who witnessed the assault and insisted on calling for an ambulance, is in jail, facing charges of disorderly conduct.

At midnight of 7 September Stas and friends were walking home after a birthday party, when a police car stopped nearby. The police officers got out, hand-cuffed Stas and 3 other guys, and took them to Leninski borough police station.

Stas says, the beating up started already in the police car. Coming up to the police station, Andrei Pachobut saw police officers throw his younger brother out of the building, all in blood and beaten up. Andrei insisted on calling for an ambulance, which later took Stas to hospital, this fact is registered in a police report.

However, the policemen drew up reports, charging Andrei with "disorderly conduct". He is kept in jail of Leninski borough police station. Three other guys, who were

detained together with Stas, are also charged with disorderly conduct, awaiting trial in jail.

At present Stas is at neurosurgery department of emergency hospital. Doctors still haven't made the diagnosis. He has a huge bruise on his left eye and scrapes on his face. Stas says, he feels sick and dizzy. The brothers intend to insist on criminal charges against the police officers, who have beaten up Stas Pachobut.

On 11 September Stas Pachobut, correspondent of the Navinki newspaper and a musician of the Deviation rock band who had been severely beaten by the police in the night of September 8 had a surgical operation on the face. During the operation the doctors inserted a screw into Stas's cheekbone. The screw will hold the broken bone. According to the doctor of skull-surgical department of Horadnia regional hospital Aliena Klachko he will also have to wear a special plaster hat. For eight months after the operation one half of his face will stay motionless. The doctors wouldn't have had to do this operation, if they could have treated Stas a week earlier. At present Horadnia Prosecutor's office carries out the check-up on the complaint, filed by Stas's brother Andrei, concerning the police beating. The prosecutor still hasn't decided whether to initiate a criminal case against the policemen who had beaten Stas Pachobut.

TABLE OF CONTENTS